CAMBRIDGE SOUTH ASIAN STUDIES NO. 44

BONDED HISTORIES: GENEALOGIES OF LABOR SERVITUDE IN COLONIAL INDIA

To the modern world, the notions that freedom is an innate condition of human beings and that money possesses the power to bind people appear as natural facts. *Bonded Histories: Genealogies of Labor Servitude in Colonial India* traces the historical processes by which these notions became established as dominant discourses in India during colonial rule and continued into post-colonial India.

Gyan Prakash locates the formulation of these discourses in the history of bonded labor in southern Bihar. He focuses on the emergence and subsequent transformation in the relationship of reciprocal power and dependence between landlords and laborers. The author explores the way in which these transformations were connected with broader shifts in the political economy of this part of the subcontinent; with the changing structures of agricultural production, land tenure and revenue demand; with local social hierarchies and the ideology of castes; and with Hindu cosmologies, spirit cults and their articulation in ritual practices.

In *Bonded Histories: Genealogies of Labor Servitude in Colonial India*, Gyan Prakash combines a sophisticated theoretical analysis with evidence from archival records, village documents and oral testimonies to present an original and compelling view of the changing relationship of bondage. The book will be of interest to historians, anthropologists and contemporary social theorists.

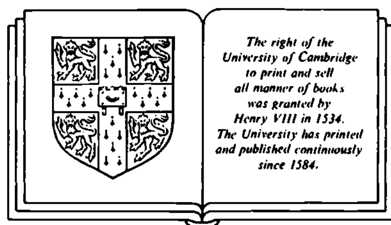
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BONDED HISTORIES: GENEALOGIES OF LABOR SERVITUDE IN COLONIAL INDIA

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CONTENTS

	page
List of illustrations	viii
List of tables	ix
Preface	xi
Conventions followed in the text	xiv
List of abbreviations	xv
Introduction: the discourse of freedom	1
1 Places of bondage	13
2 True stories	34
3 Land is to objectify	82
4 Freedom found and lost	140
5 Contested power	184
Conclusion: freedom bound	218
Appendix	226
Glossary	228
Bibliography	231
Index	243

ILLUSTRATIONS

page

1.1 The undulation of land in Gaya 22
1.2 The principle of irrigation channels 22
3.1 Quinquennial average of common rice prices in Gaya, 1861–1900 (source: *Prices and Wages in India*) 112
3.2 Three-yearly moving averages of crop composition in Patna, 1901–20 (source: *Season and Crop Reports of Bihar and Orissa*) 129
3.3 Three-yearly moving averages of crop composition in Gaya, 1901–20 (source: *Season and Crop Reports of Bihar and Orissa*) 130
3.4 Three-yearly moving averages of crop composition in Shahabad, 1901–20 (source: *Season and Crop Reports of Bihar and Orissa*) 131
3.5 Net exports of selected agricultural commodities from Bihar, 1901–20 (source: *Reports on Trade Carried by Rail and River*) 134
3.6 Relative movement of wholesale prices of selected agricultural commodities in Patna, 1901–20 (source: *Prices and Wages in India*) 135

MAPS

1.1 The south Bihar region 19
1.2 Thana map of Gaya district 26
1.3 The regional distribution of kamias 30
2.1 South Bihar in 1595 67
2.2 South Bihar in the 1770s 68

TABLES

page

1.1 The area under irrigation from different sources in South Bihar districts during 1905–18 20
1.2 Relation between tanks and channels in northern and southern thanas 28
1.3 The area double-cropped and the seasonal distribution of crops in northern and southern thanas 28
3.1 Sale of zamindari estates in Gaya between 1912/13 and 1916/17 108
3.2 Annual average of five-yearly figures on the number of sales of peasant holdings in three South Bihar districts, 1880/81 to 1900/1 123
4.1 The number of laborers required for the cultivation of major crops 172

PREFACE

In the late 1970s, when I first began my historical research on bonded labor the question of bondage was a live public issue. The Indian government had just passed the Bonded Labour System (Abolition) Act in 1976, and social scientists, in one study after another, were showing the existence of bondage all over the country, documenting the brutal exploitation of the laborers by powerful landlords and rich peasants. The issues seemed clear. Here was a group of laborers for whom, let alone colonial change, even post-independence development did not signify any fundamental transformation: their premodern bondage had survived into the modern period and their exploitation had not ended. Framed in this manner, the issue of bonded labor raised a series of questions for scholarship. What explained this extraordinary longevity of labor servitude? How was it that age-old traditions of servitude withstood the forces of change? How was the innate and inalienable right to freedom denied? I was frequently asked these questions when I mentioned the subject of my research. 'Are these laborers still bonded?' people often inquired, as they expressed their horror and indignation at the suppression of freedom. As I delved into historical records, I found that the contemporary framing of the issues surrounding bonded labor had precedents: the colonial government had also denounced unfreedom and passed laws to restore the laborers' freedom, thus anticipating and prefiguring the debate, discussion, and legislative action of the 1970s; and it too had assumed, as we do today, that freedom was an innate right that servitude denied. And just as we today represent bondage as a legacy of the unenlightened past, I found that the colonial officials had also regarded servitude as a shadow cast by the past on the present. In short, the privileging of the present as free of power because it values freedom, and the representation of history as a process leading towards the realization of the lost human essence – freedom – is approximately two centuries old in India. This is truly remarkable in view of the fact that the notion of freedom as a natural right and the view of history as a progressive realization of an alienated essence were not generated by classical or medieval India.

And yet, this discourse acquired a hegemonic presence during British rule, and has even outlasted colonialism.

In this book, I reconstruct the historical formulation of the discourse that made freedom appear as an innate human condition, that privileged the present by imposing the burden of power and unfreedom on the past. But instead of treating it as a matter concerning the history of ideas, I trace the articulation of this discourse in a range of historical practices – political, administrative, economic, and social – that constituted a group of laborers as unfree persons. And although I locate this history in the period extending from the early 1800s to the 1930s, the book moves further back and comes up to the present in contextualizing and interpreting evidence, particularly oral traditions. A similar flexibility is also adopted with respect to the region studied. Although my focus is on south Bihar, I concentrate on, and draw much of the evidence from, Gaya district when illustrating my arguments in detail. This is particularly true of the oral traditions and testimonies that I recorded during the 1981–82 research for my doctoral dissertation.

This book draws from the research initiated when I was an M.Phil. student at Jawaharlal Nehru University, New Delhi. This research grew into a doctoral dissertation project at the University of Pennsylvania, and developed into its present shape with further research. The American Institute of Indian Studies, the Social Research Council and the American Council of Learned Societies funded my doctoral research and writing; the Center for the Humanities, Wesleyan University, provided a stimulating environment for thoroughly recasting the dissertation into the present book; and the Division of Humanities and Social Sciences at the California Institute of Technology supported further research and writing for the book.

A number of individuals have supported my work. Sabyasachi Bhattacharya introduced me to research in agrarian history, and David Ludden not only provided incisive advice at every stage of my work but also extended his ebullient support. Lee Cassanelli introduced me to the literature on oral historiography, and Arjun Appadurai, Chris Bayly, Carol Breckenridge, Nick Dirks, and Romila Thapar read my writing closely, offering helpful comments and advice. Jane Dietrich read the whole manuscript twice, and offered many helpful remarks. Susan Halldance drew the maps, Sarita Vellani prepared the index, and Barbara Calli cheerfully printed and re-printed the manuscript.

Aruna has lived with this manuscript for as long as I have, and Amit has put up with the disruptions caused by my professional life.

My extended family, scattered in Patna, New Delhi, Madras, Ormskirk (England), Carlisle (Massachusetts), and Poughkeepsie (New York) has always encouraged and supported my work. My parents have helped and inspired me in every imaginable way. To them, I dedicate this book.

CONVENTIONS FOLLOWED IN THE TEXT

Indian terms are italicized and explained, and they appear with full diacritical marks the first time they occur in the text. When used only once, these words do not appear in the glossary. If used subsequently, they are printed, unless they form part of quotations, in normal typeface, and are included in the glossary. Wherever possible, however, I use the English equivalents. Anglo-Indian words are not italicized but they are explained in the glossary. I also pluralize all Indian words after the English pattern, adding an "s" at the end of the term.

ABBREVIATIONS

AHR	*American Historical Review*
BBRP	Bengal Board of Revenue Proceedings
BGD	Bengal General Department Proceedings
BJC	Bengal Judicial Consultations (Criminal Judicial)
BJP	Bengal Judicial Proceedings (Criminal Judicial)
BR	Francis Buchanan, *An Account of the District of Bhagalpur in 1810–11*
BRC	Bengal Revenue Consultations
BSA	Bihar State Archives, Patna
CIS	*Contributions to Indian Sociology*
CSSH	*Comparative Studies in Society and History*
EI	*Epigraphica Indica*
GCR	Gaya Collectorate Records, Patna
GCRR	Gaya Collectorate Record Room, Gaya
GDG	*Bengal District Gazetteers: Gaya*
GOB	Government of Bengal
GOBO	Government of Bihar and Orissa
GOI	Government of India
GSR	*Final Report on the Survey and Settlement Operations in the District of Gaya, 1911–18*
HBGM	*A Brief History of Bodh Gaya Math*
HMS	Home Miscellaneous Series
HSR	*Final Report on the Survey and Settlement Operations in the District of Hazaribagh, 1908–15*
IA	*Indian Antiquary*
IESHR	*Indian Economic and Social History Review*
IHR	*Indian Historical Review*
IOL	India Office Library and Records, London
JASB	*Journal of the Asiatic Society of Bengal*
JBORS	*Journal of Bihar and Orissa Research Society*
JPS	*Journal of Peasant Studies*
MAS	*Modern Asian Studies*
MSR	*Final Report on the Survey and Settlement Operations in the Maksudpur Estate in the District of Gaya, 1900–04*

NAI	National Archives of India, New Delhi
PCR	Patna Commissioner's Records, Patna
PDG	*Bengal District Gazetteers: Palamau*
PGR	Francis Buchanan, *An Account of the District of Bihar and Patna in 1811–12*
PSR	*Final Report on the Survey and Settlement Operations in the District of Palamau, 1913–20*
RAD	Revenue and Agriculture Department
RD	Revenue Department
SAB	W.W. Hunter, *A Statistical Account of Bengal*
SSR	*Final Report on the Survey and Settlement Operations in the District of Shahabad, 1907–15*
TSR	*Final Report on the Survey and Settlement Operations in the Tikari Wards Estate, the Government Estates and the Belkhera Mahals, 1893–98*

Introduction: the discourse of freedom

> It is impossible that any man can possess any property by a more intimate and perfect right than that by which every man possesses the property in his own person; and the property in the profits of his lawful labour follows as a necessary consequence; all acts of capture and violence, buying and selling, being vitiated and rendered null and void by previously existing, permanent and idefeasible right of the man to himself, a right which, like many other rights, may be in abeyance, but which can never be lost, and may always be resumed when the fear of violence or the pressure of actual force is removed.
>
> W. Adam, *The Law and Custom of Slavery in British India*, 1840

In the nineteenth century when colonial officials encountered slavery and bondage all over India, they came across a class of agricultural laborers called *kamiās* in the eastern province of Bihar. Living primarily in the southern part of the province, these laborers were distinguished by long-term ties to landlords known as *māliks*. A kamia worked all his life for the same landlord, earning wages for the days that he worked and expecting assistance when needed. For his son's marriage, he received some grain, money, and a small plot of land from the landlord. After the conclusion of this transaction, called *kamiauti*, the son, too, became the same malik's kamia. Women also became attached to the same master through the labor relationship of their kamia husbands. Thus, women too, along with their kamia husbands, worked in the paddy fields of the maliks, and both were subjected to a system of restrictions: restrictions on their movements, their labor, and their persons. Classified as slavery and serfdom initially, after the abolition of slavery in 1843 this kamia–malik relationship was increasingly reported, studied, legislated, and represented as debt-bondage. The kamias and maliks also executed written deeds that treated the money advanced as loans and stipulated labor servitude so long as the loans remained outstanding. Although the colonial government regarded this servitude in exchange for loans as an advance over slavery, it was perturbed by the

continued existence of unfreedom. With history seen as a steady march towards progress, this suspension of natural rights to freedom appeared as an anachronism. Thus, it hoped that as economic progress occurred and modern education spread, the laborers would realize the value of freedom. Power would be rendered incapable of suppressing man's free self and bondage would take its place in the museum of past horrors. But as British rule in India neared its end, the earlier hopes appeared to have been sanguine. The 1930s witnessed the British make one last attempt to end bondage, even as they despaired that unfreedom was too deeply entrenched for any quick and easy uprooting.

Representing history as a progression from unfreedom to freedom, as a process of restoring the loss of natural rights to liberty, colonial records voice a powerful discourse. Not only is the notion of freedom deeply entrenched in our consciousness, the fact that its negation occurred in a region such as Bihar makes the discourse particularly compelling. Agriculturally relatively backward and stagnant, socially mired in caste oppressions and class exploitation, its political structure eroded by corruption and wracked by landlord and state terror, Bihar today often evokes revulsion in other parts of India. It is looked upon as a region where feudal domination continues unabated, in violent conflict with agents of modernity and progress. Even in the colonial period, Bihar was looked upon as a relative backwater. Hundreds of miles west of Delhi, it was too far from the old imperial center. And flanked in the east by the colonial center in Calcutta, it was dwarfed by the importance lent to Bengal, with its coastal access and British headquarters. Far from the center of the medieval empire, and overshadowed by the energy of colonial commerce in Calcutta, Bihar's marginality as a hinterland is at least several centuries old. Because of this history of marginality, the region appears to be a place overlooked by the forces of modernity and change, lending credibility to the discourse of freedom's suggestion that the kamias' bondage is also a backward legacy of Bihar's pre-modern past.

Historians venturing to write the history of the kamias in this region are confronted by a history already written in colonial records. Documenting freedom's unsuccessful struggle against bondage, these records establish the free–unfree opposition as the privileged instrument for writing the history of social relations. Thus, the kamias appear already documented as unfree persons in these records. In recording the kamias as laborers whose rights were suspended because of their indebtedness, however, the colonial

documents disguise two historical formulations as ontological facts. The first formulation, owed to post-Enlightenment Europe, consists of the claim that freedom constitutes humanity's natural being. The second proposition, characteristic of the bourgeois political economy, contains the representation that money forms the basis for social relations. Referring to this attribution of power to money, Karl Marx remarked:[1]

> people place in a thing (money) the faith which they do not place in each other. But why do they have faith in the thing? Obviously because that thing is an *objectified relation* between persons. ... it [money] can have a social property only because individuals have alienated their own social relationship from themselves so that it takes the form of a thing.

In this passage, Marx was referring to the phenomenon in capitalist societies that he later called commodity fetishism. But since this fetishism referred to the representation in which social relations appear grounded in the market exchange of commodities, it may seem to have very little relevance for debt-bondage. After all, whereas commodity fetishism was founded on the free exchange of labor power as a commodity, debt-bondage prevented free exchange. It is important to note, however, that debt-bondage not only implied that social relations were based on money but also that its identity was derived from the opposition it posed to free labor. In this sense, debt-bondage animates an inanimate object like money with a power to bind people, and it naturalizes free labor by positing bondage as the suspension of "natural" rights to freedom.

With the power of money and the right to freedom appearing as ontological facts, debt-bondage also conceals its historicity. Instead of revealing itself as a product of discourses that naturalized money and freedom, it comes disguised as an obvious effect of money loaned to hitherto free persons. As such an obvious condition, it seems as applicable to ancient as to modern societies. In support of its claim to universal applicability, the antiquity of severe punishment for the non-payment of debts can be invoked. In ancient Greek law, for example, outstanding debts were treated as thefts and debtors were punished as robbers.[2] But debt-bondage in ancient Greece, according to Moses Finley, was not imposed as a punishment for default in repaying the loan. Instead, its purpose was to create relations of

1 *Grundrisse. Foundations of the Critique of Political Economy*, tr. Martin Nicolaus (New York, 1973), 160.

2 Moses Finley, *Economy and Society in Ancient Greece*, eds. Brent D. Shaw and Richard P. Saller (London, 1981), 152.

dependence between unequals. As Finley notes, "it was only between classes, between rich and poor, to put it in loose and simple terms, that debt led to bondage in practice."[3] If servitude was not a punishment for default but a condition that followed a loan transaction between classes, then it was not the power of money that bonded people but the fact that persons advancing and receiving money were of unequal ranks. And so long as people were legally recognized as unequal to begin with, insofar as unequal ranks were considered "natural," bondage could only be a particular condition that applied to certain juridically ranked groups: it could not result in unfreedom since people were differentiated by inequality rather than brought together as free. If ancient Greece shows that debt-bondage's claim to universality is untenable, the same is also true for ancient India. Take, for example, the term kamia. It appears closely related to the Sanskrit *karmakāra* and the Pali *kammakāra* which, according to D. R. Chanana, are defined in the ancient texts as one who earns his living for a *bhattā-vetana*, that is, for cooked rice and wages for fixed periods.[4] While some kammakaras' position was marked by a debt-relationship, the term as such denoted work for wages, and the texts often speak of these laborers as servants working for wages and distinguish them from *dāsa*s (slaves).[5] There is no notion of bondage associated with these kammakaras, nor is there a term for free laborers to which unfree laborers could be opposed. In fact, the irrelevance of the free–unfree opposition becomes clear when one text uses the term kammakara to refer to a monk named Nanda. The text calls Nanda, who was Buddha's brother, a kammakara by accusing him of having become a monk in order to get, as a sort of wage, fairies in heaven![6] Even the term dasa, usually glossed as slave, was used to refer to those who were subordinated as "non-Aryan" outsiders. From these textual references, it becomes clear that the karmakaras and kammakaras were marked by status and rank, and that, even when they were involved in debt-relationships, the notion of laborers rendered unfree by loans was irrelevant to these groups. It is not surprising that there is no term for bondage in Sanskrit. Similarly, it should cause no surprise to learn

[3] Ibid., 153.
[4] Dev Raj Chanana, *Slavery in Ancient India* (New Delhi, 1960), 129.
[5] Chanana notes that a kammakara could either be a *bhātaka* (working for a wage) or an *ahataka* (a person mortgaged). But unlike the modern kamia, the ahataka's wages served to redeem the sum advanced against his person (p. 131). For a discussion of the difference between kammakaras and dasas, see p. 147.
[6] Chanana, *Slavery in Ancient India*, 170.

that the ancient Greeks also had no name for what we call debt-bondage.[7]

Bondage as a general category, whether caused by money or any other object, is the product of the Enlightenment and post-Enlightenment discourses that discovered humanity and revealed liberty as the essence of humanity. To be sure, the notion of liberty is of considerable antiquity, as is the slave–free opposition. But in classical societies, slave and free represented legal statuses connected with the classification of people as barbarians and citizens: free status was associated with citizenship, wealth, and membership in the community, just as enslavement was imposed on the poor and foreigners, who were called barbarians.[8] Furthermore, the institution of slavery was taken for granted, and Greek philosophers, such as Plato and Aristotle, defended it as a "natural" institution.[9] Even the Sophists' argument that free and slave statuses were social conventions and hence contrary to natural justice did not amount to equating liberty with a natural human condition.[10] The conception of freedom as a natural right owes itself to the eighteenth-century doctrines of natural rights and laws, even though, as David Brion Davis shows, the record of the Enlightenment *philosophes* is mixed; while speaking of natural rights, many of them used the notion of public good to justify slavery.[11] It is also a fact that while Europe celebrated the emergence of Man, it enslaved Africans and transported them to the plantations in the Americas. But whatever its record in extending or curbing slavery, the discourse of freedom's premise that denial of freedom constituted the negation of man's natural being formed the context for both pro-slavery and anti-slavery positions. Rousseau's forthright anti-slavery stance carried this notion, as did Montesquieu's tortuous defense on the grounds that Africans were not quite human and that people from tropical lands needed coercion because the climate made them slothful.

7 Finley, *Economy and Society*, 150–1.

8 Thomas Weidemann, *Greek and Roman Slavery* (Baltimore and London, 1981), 15–35 *passim*. In Rome, according to Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, Mass., 1982), the legal notion of absolute ownership – rendering the slave into a "thing" and making him appropriate for dominium – had the same effect that the distinction between citizens and barbarians had in Greece: both marked the slaves with "social death" (pp. 28–32). In both cases, then, slaves could not be "free" persons rendered unfree by slavery; dishonor and natal alienation defined their status from the very beginning.

9 Robert Schlaifer, "Greek Theories of Slavery from Homer to Aristotle," in *Slavery in Classical Antiquity: Views and Controversies*, ed. M.I. Finley (New York, 1960).

10 Joseph Vogt, *Ancient Slavery and the Ideal of Man* (Cambridge, Mass., 1975), 14.

11 *The Problem of Slavery in Western Culture* (Ithaca, 1966), 391–421 *passim*.

Articulated in a variety of ways by the *philosophes*, the deep-rooted existence of freedom as a natural right is also owed to the establishment of bourgeois social relations in the modern epoch. By making labor power into an exchangeable commodity, capitalism represented slavery as the opposite of that free exchange. As Eugene Genovese remarks, "The power of slavery as a cultural myth in modern societies derives from its antithetical relationship to the hegemonic ideology of bourgeois social relations of production."[12] Opposed to free labor and free individuality, slavery became tantamount to the suppression of innate rights, giving rise to what Michel Foucault called the "repressive hypothesis" in his study of sexuality. By this hypothesis, according to Foucault, power presents itself only as a restraining force, as a thing "that only has the negative on its side, a power to say no; in no condition to produce, capable only of posting limits ..."[13] Consequently, when servitude appeared as the negation of freedom, as the subjection of an anterior human essence, as a system of *restrictions* on freedom, it looked as if, banished from the realm of free labor, power found refuge only in slavery. So, the discourse of freedom's formulation of slavery as the suppression of natural existence is no simple matter of definition, innocent of power relations. On the contrary, this conception makes power visible only in its juridical form, that is, as a system of restraints and restrictions, and renders its role in producing and constituting free individuals invisible. The naturalization of free labor that consequently occurs through the recognition of its Other – unfreedom – makes the description of bondage a purely analytic exercise. Neither rooted in history nor complicit in power, the analysis of bondage, servitude, and slavery as different degrees of unfreedom presents itself as self-evident distinctions while privileging free labor as outside the reach of power relations.

This empowered and empowering classification of social relations in terms of the free–unfree opposition occupies an enchanting presence in our midst. What makes this presence persuasive is the persistence of certain institutional features of slavery from ancient to modern times. David Brion Davis convincingly argues for this continuity from ancient to modern times, pointing to enduring institutional practices, such as the treatment of the slave as a thing, legal codes and regulations, and the moral-ideological problems it

[12] *From Rebellion to Revolution* (Baton Rouge and London, 1979), xiii.

[13] *The History of Sexuality, I: An Introduction*, tr. Robert Hurley (New York, 1980), 85.

posed throughout its existence.[14] Orlando Patterson's sociological analysis of slavery across time and space as a form of power relations involving the "social death" of the slaves also contains a persuasive argument in favor of continuity. But continuity of slavery as a system of domination does not necessarily imply persistence of unfreedom, or at least not in an unchanged form, across time and space. As David Brion Davis writes, "Today, however, we automatically contrast slavery with free labor or with various modern ideals of individual autonomy. Through most of history such antonyms would have appeared absurd or contradictory."[15] And yet, this is what Orlando Patterson implies when he concludes that the struggle against social death gave birth to the notion of freedom.[16] But if David Brion Davis's view is correct, and if Suzanne Miers and Igor Kopytoff's wider claims flowing from their analysis of African slavery in terms of the slave–kin continuum hold,[17] then the free–unfree opposition has not existed through all of our history, and the struggle against slavery could not have always implied a desire for freedom at all times. If in "premodern societies the salient characteristic of slavery was its antithetical relation to the normal network of kinship ties of dependency, protection, obligation, and privilege,"[18] then slavery could not have always meant unfreedom, and the struggle against the disabilities that the slaves were subjected to was unlikely to invoke freedom in the same sense at all times and places. From the present standpoint, however, modern struggles against slavery and the emergence of free labor appear to have their origins in antiquity. Consequently, a continuum extending from slavery to freedom becomes available for arranging a variety of different statuses – slavery, serfdom, debt-bondage, free labor. Although it is true that these statuses represent historically given categories, their arrangement as a spectrum of conditions makes sense only in that it suggests a progressive restoration of a lost essence – freedom.

[14] *The Problem of Slavery*, 30–31.

[15] *Slavery and Human Progress* (New York, 1984), 15.

[16] "And so it was that freedom came into the world. Before slavery people simply could not have conceived of the thing we call freedom." Patterson, *Slavery and Social Death*, 340.

[17] "Here [in African societies], the antithesis of 'slavery' is not 'freedom' qua autonomy but rather 'belonging.'" "African 'Slavery' as an Institution of Marginality," in *Slavery in Africa: Historical and Anthropological Perspectives*, eds. Suzanne Miers and Igor Kopytoff (Madison, 1977), 17. Interestingly, Patterson concurs with this view when he states that in most non-Western societies, where a "personalistic idiom of power" prevailed, the opposite of slavery was not freedom. Patterson, *Slavery and Social Death*, 27–28.

[18] Davis, *Slavery and Human Progress*, 15–16.

This mistaken reading of the continuity in the institution of slavery as a continuous history of the free–unfree opposition, leading to its resolution in free labor, characterizes colonial records. This should not cause any surprise, for the era of colonial domination, particularly in the nineteenth century, coincided, on the one hand, with the hegemonic rise of the western conception of history as progress and, on the other hand, with the triumph of capitalism on a world scale. In a colonial context, however, the belief in progress had a specific mode of articulation owing to the fact that, as conquered and dominated subjects, Indians represented the Other. As this Other, Indians lived in a time very different from that of the British. Their world belonged to a remote past, separated from the modern world of their masters. So virtually since the beginning of colonial rule, for British administrators and Orientalists, contemporary India existed as the vestige of a classical India that was made increasingly visible through religious texts. However valued and admired this classical India may have been by Orientalists, its basis in the denial of coevalness – a denial that, according to Johannes Fabian, characterizes anthropology even today[19] – meant that it could become easily devalued when the admiration for Indian "traditions" gave way to demands for reforms and progress. This began to happen in the early nineteenth century. In the changed context, the reduction of contemporary India as a mere signifier of classical India saw contemporaneous social conditions criticized as outmoded and uncivilized. And for the comparative understanding of such uncivilized and "inhuman" conditions such as kamia–malik relations, ancient slavery and medieval serfdom, rather than modern "wage slavery," provided the appropriate framework. Representing the past, and embodying the reign of unfreedom in the past, the kamias' placement in the continuum extending from slavery to freedom became the mode in which the doctrine of progress was pronounced. In this pronouncement, because the time of the British was separated from the time of the kamias – the observer was divorced from the observed – the slavery, serfdom, debt-bondage, and free labor continuum emerged as the natural course of history, thus disguising the role of colonial discourse in the production of this knowledge. Of course, what lent strength to this discourse was the emerging dominance of bourgeois relations. Historians and economists of India are divided over when and to what extent, if at all, capitalism was established in colonial India. Without entering this debate, it is

[19] *Time and the Other: How Anthropology Makes its Object* (New York, 1983).

abundantly clear from the existing literature that objectification of social relations was well in place by the late nineteenth century.[20] This means that not only the world-wide triumph of capitalism but also the form that its presence took in India lent power to the doctrine of progress articulated in the colonial discourse. As a result, the history of slavery, serfdom, and debt-bondage emerged as progressive steps in the direction towards free labor.

Colonial records embody the presentist history that the slavery to freedom continuum fabricates. This fabrication can only be exposed if it is interrogated, challenged, and historicized. The existing historiography of slavery and bondage in India, although impressive,[21] has failed to interrogate the discourse of freedom. Consequently, it often ends up arranging a variety of social relations in terms of a continuum, thereby making power relations appear primarily as a system of restrictions and suppressions.[22] Of course, not all historians have accepted the discourse of freedom without resistance. The most notable example of this resistance is Jan Breman's seminal work on bonded labor in south Gujarat which escapes the free–unfree conception by situating the laborers and their domination by the landlords in patron–client ties animated by the Hindu caste system.[23] But his work does not address the question as

[20] The following constitutes a small sample of the vast and growing literature dealing with the late nineteenth-century social changes objectifying agrarian relations in land and money. Jairus Banaji, "Small Peasantry and Capitalist Domination: Deccan Districts in the Late Nineteenth Century," *Economic and Political Weekly*, 12 (Special Number, August 1977); Christopher John Baker, *An Indian Rural Economy 1880–1955: The Tamilnad Countryside* (Delhi, 1984); Sugata Bose, *Agrarian Bengal: Economy, Social Structure, and Politics 1919–1947* (Cambridge, 1986); B. B. Chaudhuri, "Growth of Commercial Agriculture in Bengal–1859–1885," *Indian Economic and Social History Review* (hereafter *IESHR*), 7, 1–2 (1970), and "The Process of Depeasantization in Bengal and Bihar, 1885–1947," *Indian Historical Review* (hereafter *IHR*), 2, 1 (July 1975); Eric Stokes, *The Peasant and the Raj: Studies in Agrarian Society and Peasant Rebellion in Colonial India* (Cambridge, 1978), ch. 12; and D. A. Washbrook, "Economic Development and Social Stratification in Rural Madras: The 'Dry Region,' 1878–1929," in *The Imperial Impact: Studies in the Economic History of Africa and India*, eds. Clive Dewey and A. G. Hopkins (London, 1978).

[21] For examples, see Benedicte Hjejle, "Slavery and Agricultural Bondage in South India in the Nineteenth Century," *Scandinavian Economic History Review*, 15, 1–2 (1967); Sudipto Mundle, *Backwardness and Bondage: Agrarian Relations in a South Bihar District* (New Delhi, 1979); and *Chains of Servitude: Bondage and Slavery in India*, eds. Utsa Patnaik and Manjari Dingwaney (Madras, 1985).

[22] For recent examples, see the essays by Uma Chakravarti and Tanika Sarkar in Patnaik and Dingwaney, *Chains of Servitude*.

[23] *Patronage and Exploitation: Emerging Agrarian Relations in South Gujarat, India* (Berkeley, 1974). In my view, Dharma Kumar's objection, stated more than two decades ago, that the terms used by the British to characterize bondage in South

to how these laborers were constituted as unfree persons in the colonial period.

One alternative available, when faced with the fact that the kamias were recognized, administered, and judged as debt-serfs by colonial rule, is to demonstrate that western categories are inapplicable to India, as Suzanne Miers and Igor Kopytoff have done in the African context. Such a perspective was deemed sufficient not too long ago when, in an overreaction to the earlier sweeping generalizations about the colonial impact, the recognition that the British often imposed their rigid categories on complex and flexible Indian conditions led scholars to pose a radical disjunction between official discourses and actual conditions. More than any other issue, the question of agrarian relations witnessed this phenomenon as historians turned away from the study of policies to an examination of the realities "on the ground."[24] While these studies exploded many long-held myths, and revealed the complexity of the agrarian structure, the official discourses tended either to appear as theory subordinated to practice or disappear as the ephemeral musings of the British mind. Recent scholarship shows signs of recovering from this overreaction. Colonial laws and policies are now beginning to be treated as practices constituting part of the total context.[25]

This treatment of colonial texts reflects the growing emphasis that literary theorists and historians place on historicizing texts, that is, on disclosing how the context forms the text's *pre*-text and revealing how the text also constitutes its context. Edward Said's *Orientalism*, analysing the formation of empowering and empowered knowledge, represents perhaps the best moment in this interpretive move.[26] His insights into the production of knowledge enabled by and enabling western domination have found support in studies of colonial texts of India.[27] From these studies of British writings on religion, gender,

India did not fit the description of conditions, was an early challenge to the free–unfree opposition. See her *Land and Caste in South India* (Cambridge, 1965), 35.

24 The literature on this shift and its implications are discussed in Neeladri Bhattacharya, "Colonial State and Agrarian Society," in *Situating Indian History*, eds. Sabyasachi Bhattacharya and Romila Thapar (Delhi, 1986).

25 D. A. Washbrook, "Law, State and Society in Colonial India," *Modern Asian Studies*, 15, 3 (1981); Nicholas B. Dirks, "From Little King to Landlord: Property, Law, and Gift under the Madras Permanent Settlement," *Comparative Studies in Society and History* (hereafter *CSSH*), 28, 2 (1986), and *The Hollow Crown: Ethnohistory of an Indian Kingdom* (Cambridge, 1987).

26 *Orientalism* (New York, 1979).

27 Most notable in this context are Bernard S. Cohn's writings on colonial sociology. See the essays in his *An Anthropologist among Historians and Other Essays* (Delhi, 1987).

society, and history, we now know that the production of knowledge was intimately connected with the practices of colonial rule. We also know from these works that the projects of reform – initiated and directed by British officials and Indian elites, and however mistaken in their descriptions of "traditions" – ended up installing the objects of their attack as real entities. The colonial texts' deployment of the free–unfree opposition represents a similar case. Of course, the constitution of the kamias as debt-serfs was not only a textual matter. If textual description affected and constituted the very object of description, colonial texts were also traces left by historical practices – in Michel Foucault's terms, "archaeological" monuments erected by history.[28] In these monuments, the kamias were inscribed as bonded laborers. But because historical practices made this inscription, these monuments stand as archaeological remains of the process by which a bourgeois political economy was installed as the hegemonic discourse.

The aim of my study is to trace the monumentalization of this bourgeois discourse. It is to make visible the process by which freedom and commodity fetishism came to don the garb of naturalness in Indian history. Because this requires asking how the kamias became bonded laborers, the search for better definitions for slavery and bondage is not my major concern. For my purpose, it is not adequate that we simply expose the colonial records' representation of the kamias as debt-serfs as a case of western misunderstanding, but corroborate how historical practices gave a real existence to this misrecognition. I begin with a snapshot composed from the late nineteenth- and the early twentieth-century records in which agro-economic tropes for depicting the south Bihar region were well in place; freedom was firmly grounded as a natural right; and the power of money to bind people was beyond scrutiny. This objectification of social relations in the colonial period is then subjected to a series of scrutinies, starting with a glance at the pre-colonial history of the region – as represented in written records and oral traditions. I use these two sources in combination in Chapter 2, identifying the mythic and realist narratives they tell, and locating pre-modern historical contexts in the mode of the oral traditions' and written records' narrativity. I use the representations contained in these sources to establish differences between the kamias' pre-modern subordination and their modern bondage, and to set the stage for reconstructing, in Chapters 3 and 4, juridical and socio-economic processes animating

[28] *The Archaeology of Knowledge*, tr. A. M. Sheridan Smith (New York, 1972), 7.

the transformation of the kamias. Spanning the period from the 1700s to the 1930s, these chapters sketch the rise of exclusive landed property, the objectification of agrarian social relations, and the construction of debt-bondage. In drawing this sketch, I immerse texts in their contexts as I combine the analysis of how colonial records articulated the discourse of freedom with the investigation of how records documented practices objectifying social relations in things – land and money. This is followed by a chapter describing the forms of domination anchored in the juridical constitution of the kamias as bonded laborers, and reconstructing struggles mounted against the techniques of subjection that the kamias experienced. The book ends by highlighting the kamias' history as a process that placed the discourse of freedom in its present hegemonic position. It thus brings us back to the point of our departure – the discourse of freedom. If the book starts and ends with the present, it is because the history of the kamias' past constitution as bonded laborers is also a history of the present hegemonic position of the discourse of freedom. The writing of the history of the present, therefore, is immanent in writing the history of the kamias.

1
Places of bondage

... the importance of the *Kamia* to the economics of the district [Gaya] can be gauged from the amount of dispute that went on about his land.

Final Report on the Survey and Settlement Operations in the District of Gaya, 1911–18

... the pity is that in Gaya a hide-bound system has condemned the more degraded of them to a poverty which could not exist under the operation of economic laws; for the demand for labour is very considerable while the supply is not excessive; yet numbers for the sake of a few rupees sell themselves and their children after them into miserable bondage.

C.J. Stevenson-Moore, *Report on the Material Condition of Small Agriculturists and Labourers in Gaya*, 1898

Colonial records represented nineteenth-century Bihar as a distinct entity consisting of a range of differences. Although differentiated in terms of agricultural practices, cultural features, and labor relations, and attached to the Bengal Presidency until 1912 when, together with Orissa, it was disengaged from Bengal before finally emerging as a separate province in 1936, the colonial administration treated Bihar nonetheless as a well-defined region. Of course, because it had been a province (*subā*) in the Mughal empire (deriving its name from the existence of a number of Buddhist monasteries, *vihāras*, in the area), Bihar's separate identity pre-dated British rule. But by the late nineteenth century a great deal had changed; no longer a loosely ruled Mughal province, it was now a British territory wedged between the old north Indian imperial centers to the west and the commercially energetic new imperial center of Calcutta to the east. Reflecting the new political reality, Bihar was now appended to the Bengal Presidency headquartered in Calcutta; and with the local lords now disarmed, their territories were reconstituted into administrative units ruled by a new bureaucracy. Thus reshaped, Bihar was administered as a region divided into several administrative divisions, which were composed of districts

roughly corresponding to the Mughal revenue units called *sarkārs*. These districts were composed of subdivisions which were loosely carved out of the smaller Mughal revenue units, called *pargānas*. Organized and ordered according to the logic of British administration, Bihar was ruled, classified, studied, and written about in terms of divisions, districts, and subdivisions. Official reports and correspondence were organized around districts, and the British often spoke of differences between different regions in terms of these administrative categories. But because the British also saw themselves as providing a modern and rational bureaucratic organization, the administrative map was designed to take a whole series of differences – natural, social, and economic – into account. It is thus that the British administration not only reconstituted Bihar as a distinct territory but also differentiated it according to a whole range of differences.

The river Ganges, flowing east to west and dividing Bihar into two roughly equal parts, provided the British administration with a convenient boundary, distinguishing north from south Bihar. On either side of the river there lay sources of land revenue to be extracted, people to be ruled, and territories to be managed. For these purposes, neither the Mughal revenue units – sarkars and parganas, nor the colonial administrative units – divisions and districts, were adequate because they did not take the physical landscape, the nature of the land, and the pattern of agricultural and labor practices into account. Once these were taken as the basis for knowing and administering the region, the Ganges became the natural basis for conceiving north and south Bihar as distinct landscapes and agricultural regions. By the late nineteenth century, this larger division of Bihar into north and south was well established in the administrative discourse and was superimposed on the district map. Thus, even though Monghyr and Bhagalpur districts included territories on both sides of the Ganges, colonial land records classed north Bhagalpur and Monghyr with the northern districts of Saran, Champaran, Darbhanga, Muzaffarpur, and Purnea; south Bhagalpur and Monghyr, on the other hand, were grouped with the southern districts of Shahabad, Patna, and Gaya districts.[1] In this way, north and south Bihar became visible as regions.

[1] For example, the data on irrigation facilities is tabulated according to north and south, overriding district boundaries. *Final Report on the Survey and Settlement Operations in the District of Gaya, 1911–18*, by E. L. Tanner (Patna, 1928), 136 (hereafter *GSR*). Furthermore, there were separate settlement operations and reports for north and south Monghyr.

North Bihar, for the most part, unlike the region south of the Ganges, is a flat alluvial plain, criss-crossed by many rivers whose sources lie in the southern range of the Himalayas, and cut across by many channels. While vulnerable to floods in cases of excessive rainfall and flooding of the rivers, the annually inundated lands, called *diārā*, bore rich *rabi* (spring) crops. During years of normal rainfall, the fertile alluvial plain yielded excellent crops because the region's flat terrain enables the soil to retain moisture. Thus, rivers and rainfall, combined with the nature of the terrain and the soil figured prominently in the region's agriculture. Here, irrigation facilities covered only a little over 5 percent of the total cropped land at the end of the nineteenth century; in south Bihar, on the other hand, more than 46 percent of the cropped land was irrigated in the early part of this century.[2] Because the terrain in south Bihar is marked by a strong slope from south to north, making the soil unable to retain moisture, agricultural communities dug canals and tanks in order to draw and store water for agriculture. The system of private irrigation works ensured a timely supply of water crucial to the all-important *aghani* (winter) rice crop, and made the region better able to deal with famines caused by the irregular rainfall pattern.[3] But the inability of the soil to retain moisture meant that the water stored in tanks could support only aghani rice. As a result, the principal rabi crops consisted of cheaper pulses sown in the paddy fields. In north Bihar, on the other hand, because the flatness of the terrain enabled the soil to retain moisture, peasants adopted a diversified cropping pattern; with the exception of Darbhanga district, they distributed their cultivation fairly equitably among the three cropping seasons, autumn, winter, and spring.[4] Thus, even though the transplanted aghani rice constituted the principal crop, considerable lands were also devoted to *bhadoi* (autumn) crops. This meant that lands growing broadcast rice, maize, millets, marua, and indigo in autumn could also be devoted to valuable spring crops, such as wheat, barley and oilseeds. In short, whereas in north Bihar agricultural activity and labor demand were evenly distributed over the year, south Bihar was marked by high agricultural seasonality, so

2 *GSR*, 136.
3 *Final Report on the Survey and Settlement Operations in Bhagalpur District, 1902–10*, P. W. Murphy (Calcutta, 1912), 111 (hereafter *BSR*); *Selections from Papers on Famine of 1896–97*, II (Calcutta, 1897), 11.
4 W. W. Hunter, *A Statistical Account of Bengal* (London, 1877; rpt. Delhi, 1976), XI, 115–16, 274–82; XII, 94, 239; XIII, 105, 272–73; XV, 292–303 (hereafter *SAB*); and *Final Report on the Survey and Settlement Operations in Darbhanga District, 1896–1903*, by J. H. Kerr (Calcutta, 1904), 88.

that peak periods of labor demand for the aghani rice were followed by months of slack agricultural activity.

The north-south division existed not only for agricultural production: the agrarian structure also displayed a corresponding pattern of differences even though British legislation had placed land tenures in Bihar as a whole, as part of the Bengal Presidency, within a uniform legal framework. By the Permanent Settlement of 1793, landlords were declared owners of lands for which they paid land revenue directly to the government. These private property owners, called *zamindars*, consisted of both big-estate holders as well as petty landlords, who were often indistinguishable from peasants and frequently held lands also as tenants. Consisting primarily of upper castes, these zamindars collected rents from peasants, who for the most part were drawn from the intermediate castes, although upper castes also held lands as tenants.[5] Rents were paid in cash as well as in kind; while in north Bihar the cash rent system was predominant, produce rent was as important as cash in south Bihar.[6] Produce rents, according to British officials, linked the interests of peasants with those of the zamindars, who were expected to maintain the system of irrigation works.[7] Whatever the reason behind the greater preponderance of produce rents in south Bihar, it enabled these landlords to benefit from the rising prices of agricultural commodities. In north Bihar, on the other hand, landlords often had to evict tenants, or threaten eviction, in order to raise cash rents.[8]

The system of rent, however, was not the only feature distinguishing north from south Bihar: government enquiries also revealed

[5] *Bengal District Gazetteers*: Gaya, by L. S. S. O'Malley (Calcutta, 1906), 92 (hereafter *GDC*); *Bengal District Gazetteers: Patna*, by L. S. S. O'Malley (Calcutta, 1907), 51.

[6] *SAB*, XI, 127–28, 301; XII, 101; XIII, 112–13, 272–73; XV, 332–40.

[7] G. A. Grierson, the distinguished linguist and the Collector of Gaya in the 1880s, believed that the system of produce rent expressed the relations of mutual dependence inherent in an area where cultivation to a large extent depended on the irrigation works maintained by the landlords. See his *Notes on the District of Gaya* (Calcutta, 1983), 79.

[8] For examples of the landlords' use of the threat of eviction and the denial of occupancy rights to peasants in order to coerce them into paying higher cash rents, see National Archives of India (hereafter NAI): Government of India (hereafter GOI), Revenue and Agriculture Department (hereafter RAD) (Land Revenue), September, 1904, Proceedings No: 18–20; Bihar State Archives (hereafter BSA): Government of Bengal (hereafter GOB), Revenue Department (hereafter RD) (Land Revenue), June, 1904, Proceedings No: 63–64. In addition to enhancing cash rents, the landlords, wherever they could, also forced their tenants to shift from cash to produce rents. See *BSR*, 21, 48, 122; NAI: GOI, RAD (Land Revenue), January 1909, Proceedings No: 16–17.

that the nature of the agricultural labor force also distinguished the two regions. Of course, to the extent that the small peasant farm was the predominant basis for agriculture, family labor provided the nucleus of the labor force.[9] When these small peasants needed additional labor during certain periods, they did not hire outside labor; instead they practiced reciprocal exchange, called *badlaiya*, between peasant families.[10] But large holdings, particularly those held by upper castes who, as a rule, would not touch the plough, had to depend on hired laborers drawn from the low and outcaste population comprising the Goalas, Kurmis, Koeries, Dusadhs, Bhuinyas, Musahars, Dhanuks, and Chamars.[11] In south Bihar, these laborers were often kamias who had long-term ties with the landlords; in north Bihar, on the other hand, while kamias were not unknown, their presence appears to have been limited.[12] This regional variation in the population of the kamias completes the picture of Bihar's division into north and south drawn by the colonial administration.

The South Bihar region

But the southern region is also marked by considerable topographical, social, and cultural diversity. The lowlands, close to the Ganges, present a sharp contrast to the rugged terrain in the far south, where the Gangetic plain hugs the hills and is overtaken by the rock outcrops of the peninsula. Nestled between the Ganges and the southern highlands, the south Bihar plain has historically been the territory where the Hindus of the plains met the non-Hindu peoples of the Chota Nagpur plateau. Forming part of the middle Gangetic plain, this region has also experienced human and cultural movements from the west. Thus, while in the heart of the southern plain (the area east of the Son river and west of the Rajmahal hills) the language spoken is Magahi, west of the river Son it gives over to Bhojpuri. In addition to cultural customs, agricultural practices

[9] C. J. Stevenson-Moore, *A Note on the Material Condition of Small Agriculturists and Labourers in Gaya* (Calcutta, 1898), 16–19.

[10] George A. Grierson, *Bihar Peasant Life* (Calcutta, 1885; rpt. Delhi, 1975), 178.

[11] *Final Report on the Survey and Settlement Operations in Saran District, 1893–1901*, by J. H. Kerr (Calcutta, 1903), 17.

[12] Although government inquiries noted that in two north Bihar districts in particular, Purnea and Champaran, the number of kamias was significant, it was primarily in south Bihar that they were widespread. See NAI: GOI, RAD (Land Revenue), February, 1920, Proceedings No: 3–5.

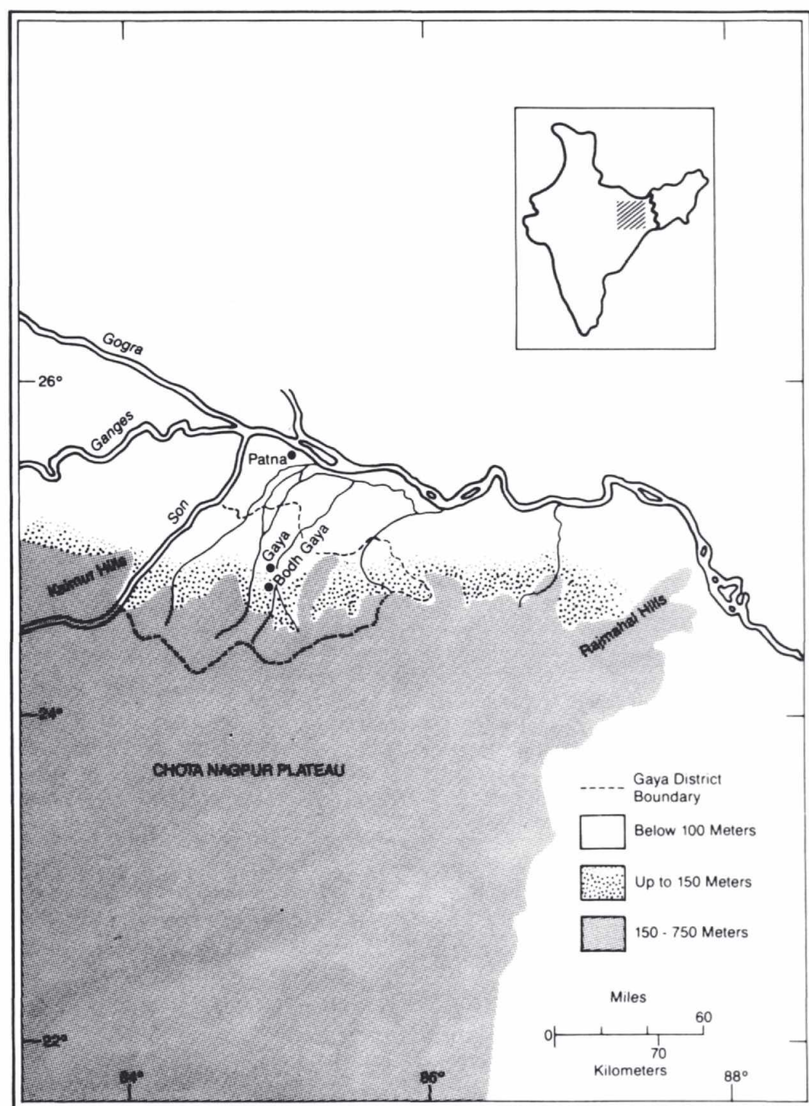
within this region also display a range of differences similar to those that distinguish it from north Bihar.

The south Bihar plain derives its character both from the Ganges river and the hills in the south. Its southern edge hugs the Kaimur hills, the Chota Nagpur plateau, and the Rajmahal hills (Map 1.1). A number of ridges and spurs combine with vegetation to give the country a rugged and undulating appearance. Undulations rise up into the long range of hills. Starting from these hills, the land slopes down toward the Ganges. The rugged terrain gives over northward to relatively flat lands but is broken in many places by ranges of hills. These rise up in the middle of the plain, sometimes to 1,800 feet, and extend for miles, with towns like Gaya and Bodh Gaya nestled between them. Denuded of all vegetation, the bare appearance of those rocky hills presents a striking contrast to the paddy fields on the plain.

When the hot summer months are interrupted by the southwest monsoon in the middle of June, natural storm drains, dry during the summer, become torrents that flow down the slope from south to north. Numerous streams and rivers flow down from the hills, almost parallel to one another, creating undulated lands – falling to the riverbeds and rising in between them. Because the slope is sharper in the south, the undulation is also more pronounced. As the streams and rivers reach the northern part of south Bihar, the interfluvial regions become less undulated and the slope becomes gentler. The soil also acquires a thicker alluvial veneer towards the north. Adding to the fertility of the northern part of the plain is the Tal region – a water colony formed by the overflowing Ganges and the southern rivers in the area flanking the Gangetic levée. The Tal region waxes and wanes depending on the amount of water it contains. When spreading the floodwater of the Ganges and other rivers, it adds fresh alluvial deposits to the soil.[13] Taken together, the richer soil and the gentler undulation and slope in the land make the northern part of the plain quite different from the southern part. But these differences should be seen along a continuum. They arise only gradually along the slope of the land from south to north.

The very fact that the slope exists creates a special problem for agriculture. The annual rainfall of 44 inches is concentrated in the monsoon period, which begins in mid-June and ends with the retreating monsoon in early October. Whereas in the flat plains of

[13] For detailed description of the Tal region, see R. P. Singh and Anil Kumar, *Monograph of Bihar: A Geographical Study* (Patna, 1970), 170.



Map 1.1 The south Bihar region

north Bihar the soil can absorb and retain moisture, the slopes of south Bihar cause rapid run-off that prevents moisture retention. To cope with this problem, the people of south Bihar have built irrigation channels (*pāins*) and tanks (*āhars*),[14] to store water from rainfall and rivers. These irrigation devices support paddy cultivation, which has historically been the main occupation of the agricultural communities in the region. Table 1.1 demonstrates the dependence of all south Bihar districts on tanks and channels, except Shahabad, where the canal constructed on the river Son by the government in the 1870s accounted for a large part of the irrigated area.

Table 1.1. *The area under irrigation from different sources in South Bihar districts during 1905–18*

District	Percent of net cropped area irrigated[a] Wells	Govt.	Channel	Tanks	Other sources	Total percent of net cropped area irrigated
Patna	7	2	22	24	5	60
Gaya	6	4	16	27	2	55
Shahabad	5	22	4	10	1	42
S. Monghyr	4	—	7	20	12[b]	43
S. Bhagalpur	1	—	16	6	13[b]	36

[a] Decimal fractions have been rounded off to whole numbers.
[b] These include areas irrigated by channels and tanks but attributed to the category "other" during the collection of statistics.[15]
Source: GSR, 136.

While tanks and channels give the agriculture of the region its distinct character, differences in topography along the north–south continuum in south Bihar differentiate irrigation practices. Because Gaya district occupies the middle of this continuum (Map 1.1), it illustrates what is common to the region as a whole, and demonstrates the diversity in irrigation practices along the north–south continuum. The following section looks at traditional systems of irrigation in Gaya district to show how people have historically coped with problems common to the entire south Bihar plain.

[14] The best descriptions of ahars and pains are of those in Gaya district. See Grierson, *Notes*, 51–61 *passim*, and *GSR*, 136–39.
[15] *GSR*, 137.

Traditional systems of irrigation in Gaya

Nineteenth-century British observers of agricultural practice in Gaya noted the dependence on tanks and channels.[16] Through these irrigation works, people manipulated the natural landscape of the region to provide relatively reliable forms of water supply at critical moments of the cropping season.

The numerous rivers and streams that flow down from the Chota Nagpur plateau divide Gaya district into long strips of land running parallel to each other from south to north. Each of these strips rises in the middle and slopes down towards the rivers on the sides. The schematic diagram (Fig. 1.1) shows a series of undulations from east to west. Given the strong slope from south to north in the terrain, the uplands (*tānr*) are able to retain very little moisture from the rainfall. Consequently, these lands can grow only those autumn and spring crops that require very little water. To cope with this situation, traditionally, as the late nineteenth-century descriptions note, a bank across the line of drainage, and banks on its eastern and western sides, were raised to contain water that these uplands received from drainage and rainfall. These outer banks, about four or five feet high, could enclose an area of forty or fifty acres. Within this enclosed space, a series of similar banks in descending height were raised with the innermost covering about an acre. In this system of containing water, known as *gherābandi*, surface water was retained and the soil was given sufficient time to absorb it. Although used principally on uplands, the system was also employed in lowlands to hold water in irrigated paddy fields.

The two slopes of the parallel strips of land were mainly rice lands, irrigated by tanks and channels. A tank was a water reservoir formed on the highest ground of the village by embanking three sides. The open side was to the south, through which water from surface drainage flowed into the reservoir. The tank was on a level higher than the fields it irrigated. A sluice gate in the northern embankment allowed the water to flow into lower lands and, with the natural surface slope, move from field to field. The excess water sometimes flowed into a tank of the village located further down the slope. They could be of different sizes, but tanks occupying a bed of about one hundred acres were not uncommon.

Irrigation channels drew water from rain-fed rivers originating in highland Bihar. In order to do this, an opening, called a *mohānā*, was

[16] Grierson, *Notes*, 60. The following account is drawn largely from Grierson's description, 51–61 *passim*.

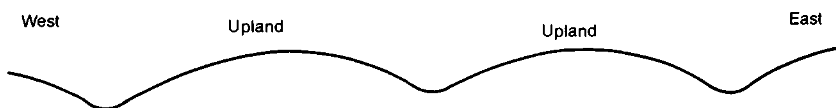


Fig. 1.1 The undulation of land in Gaya

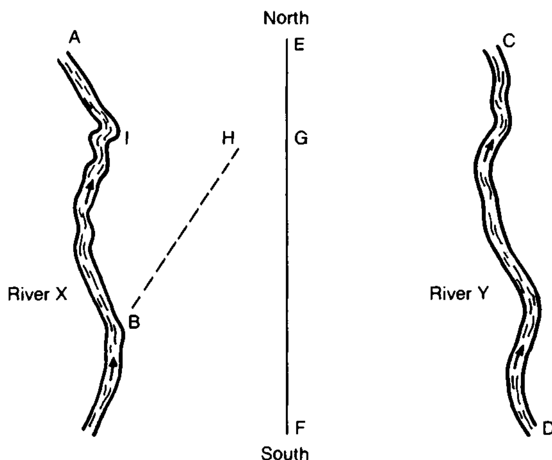


Fig. 1.2 The principle of irrigation channels

made in the river bank. If the bed of the river was too deep, the water level was raised by means of an embankment across the river. This was necessary in deep rivers with clayey beds such as the Punpun. But the high cost of constructing substantial embankments across a river made channels from such rivers few. Most other rivers have high sandy beds and low banks. In these an opening cut in the river bank formed the mouth of the channel. When the level of the river rose sufficiently high, water flowed naturally into the mouth of the channel toward thirsty fields. But when the river remained low, embankments had to be constructed across the river. Such construction restricted the supply of water to channels downriver and was therefore employed only when low water levels made it necessary, usually after October, when rains ceased and the supply of water in the river became fitful. At such times, channels would be cut with a sand plough into the bed of the river, where there usually was water. The beds were, in general, high so that the channels did not become too deep. With the marked slope of the land, the bed of the channel was sufficiently inclined for water to flow down the channel.

While slopes assisted the flow of water in channels, the undulation of land created problems. Irrigation of the two sides of parallel land strips was accomplished by drawing water into the channel several miles above the village it served. To illustrate this let us look at the schematic diagram, Figure 1.2, based on the late-nineteenth-century work of George Grierson – the District Collector of Gaya in the 1880s, and the later Surveyor-General of the Linguistic Survey of India, whose extensive and thoughtful writings on various aspects of rural life make him an outstanding example of the nineteenth-century colonial administrator-scholars.[17] Flowing from south to north, X and Y are two rivers between points AB and CD respectively. The ground between rivers X and Y is undulating, and the line EF is the highest spot between the rivers. If the rise of the land between the river X and line EF is about ten feet, then point G, which is opposite I, will be ten feet higher than I. A channel could not, therefore, be drawn from point I to irrigate the village land represented by point H. The opening of the channel had to be further to the south. If the distance from B to I on river X is two miles in a direct line, I is about eight feet lower than B because the slope is four feet to a mile. Point H, between I and G, will now be about seven feet. If the channel commences at point B and follows the course represented by the dotted line BH, water would have had to fall one foot in two miles in order to flow into the field at point H.

Adjusting to the strong slope from south to north, the openings of channels were made several miles above the village or villages they served. Channels were frequently ten to twelve miles in length, particularly in the north. Some were even twenty miles in length.[18] A single channel could be diversified into several smaller ones, by building embankments into the main channel. The water from the channel was led into the lower fields by small channels called *karhās*. Where the fields were higher than the channels, water was drawn by bucket and lever. Where channels served more than one village, as was almost always the case, the village whose turn it was to take water erected an embankment where the channel left the village, raising the water level sufficiently to cause water to flow into the side channels. After that village's turn was over, the next village cut through the embankment and erected another one further down-channel.

These irrigation channels, however, were not adequate by themselves because the supply of water in the river was fitful. The swollen

[17] Grierson, *Notes*, 57–58. [18] Grierson, *Notes*, 59.

torrents of the monsoon become mere trickles when the rainfall is light, making channels unreliable sources for using the river water for irrigation. To cope with the sharply fluctuating water level in the rivers, channels were usually combined, where the undulation was not too sharp, with tanks. Water was drawn and continuously replenished by the channels as long as there was sufficient water in the river. On the uplands, where the construction of channels usually was not possible, tanks existed by themselves. And sometimes channels were used by themselves, usually in winter months when training works enabled people to draw moderate amounts of water for the spring crop. Tanks and channels enabled people to manage water. When the monsoon broke in mid-June, tanks and channels quickly became full. The monsoon softened the soil, which was then broken up by four or five ploughings.[19] Seeds were sown broadcast in nurseries. After four to six weeks, the paddy seedlings were planted in rows in fields puddled by rainwater or by channels and tanks. Two or three days after the seedlings were transplanted, the water was drained so that the young plants did not rot. The fields were flooded again later to allow seedlings to mature, then drained once more, and left to dry for fifteen days. After this, the crop depended on the rain during the *hathiyā* lunar asterism (the rain from the retreating monsoon). Failing that, irrigation was crucial to the crop. Availability of water at this time was important not only for the paddy but also to prepare fields for the spring crops.

The maintenance of such an important component of agriculture, contrary to the theory of "Oriental despotism," was not the function of a centralized state.[20] Grierson's description of the institutional arrangements surrounding the management of irrigation works shows the existence of localized systems of maintenance centering on the initiative of landlords and the labor of peasants and laborers.[21] To begin with, there was the expense of actually digging the channels. Grierson estimated that each mile cost roughly one thousand rupees. Although Grierson did not explain how he arrived at this estimate, it would appear that most of it represented investment in labor. The Settlement Officer of Gaya felt that such estimates tended to be excessive because a large proportion of the labor for original works was provided free by peasants;[22] the same applied to annual

[19] *GDG*, pp. 106–07.
[20] Karl A. Wittfogel, *Oriental Despotism* (New Haven, 1957); cf. Nirmal Sengupta, "The Indigenous Irrigation Organization of South Bihar," *IESHR*, 17, 2 (June 1980), 157–90.
[21] Grierson, *Notes*, 61. See also *GSR*, 143–45.
[22] *GSR*, 145.

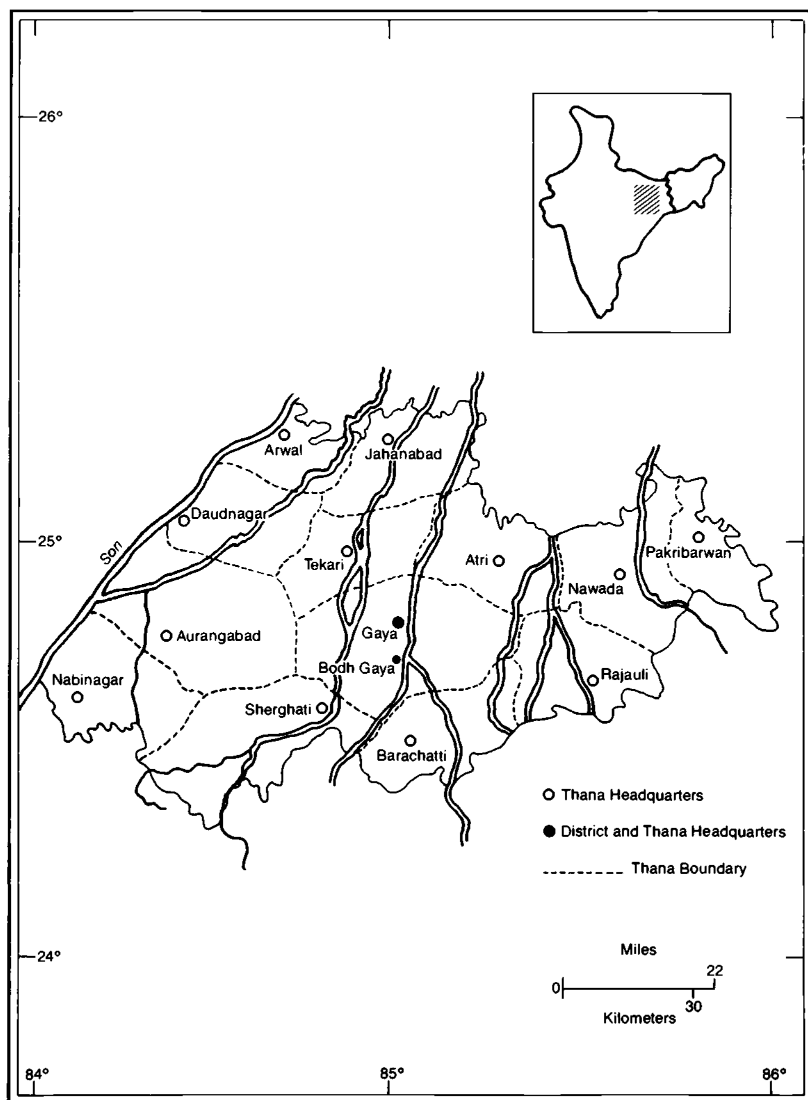
maintenance. The channel and tank beds silted up rapidly because of the sandy soil, and consequently they had to be cleared every year or two. In addition, there was the recurring expense of labor on repairs of small breaches. The labor for these jobs was provided by cultivators under a system called *gāom*, which specified that each peasant household had to provide one person for each plough it owned to the landlord's agent, who organized the maintenance and repair of irrigation works. The peasants' labor was supplemented by the landlord's kamias, who were given wages-in-kind for their labor. Taking this into consideration, the Settlement Officer of Gaya estimated that the annual expenditure to the landlord on the maintenance of irrigation works was about half a rupee per acre.[23] But the landlord's contribution to the maintenance of irrigation works was significant not so much for the money he spent but for the organization of the labor of peasants and his kamias. It was the tanks and channels and the social arrangements to maintain the irrigation system that gave the agrarian organization of Gaya and the south Bihar plain its distinctive character.

Irrigation and regional diversity

Not everywhere could tanks and channels be utilized with equal success.[24] In the northern part of the district, the region north of Gaya, the slope became gentler and the ridge on parallel strips of land much less marked, allowing for the extensive development of channels, which meandered to and served lands far away from their source in the river. Tanks stored water from channels, and excess water flowed into channels that travelled toward villages further away. Channels and tanks, when closely linked, made the storing, the replenishing, and the distribution of water over the agricultural season much more efficient.

In the southern *thānās* (police stations whose jurisdictional areas served as the smallest administrative units of a district) of Gaya (Map 1.2), areas south of Gaya town and close to the hills, channels could not be constructed far away from their source in the river owing to sharp slopes and marked watersheds. Here tanks became mere water catchment basins rather than reservoirs. Thus, southern thanas show a significant difference between the share of tanks and channels in irrigated acreage (Table 1.2).[25] Independent of channels, tanks

[23] *GSR*, 145.
[24] What follows is based largely on *GSR*, 138 and *GDG*, 104–06 *passim*.
[25] If we take the Gaya district as a whole and compare its irrigation figures with those of Patna district which lies to its north (see Table 1.1), the pattern of difference



Map 1.2 Thana map of Gaya district

became simple basins for collecting water from surface drainage and rainfall, making it impossible to replenish the water supply lost to evaporation and use. In the north, on the other hand, Table 1.2 shows that, with few exceptions, a close relation between tanks and channels existed, making the supply of water relatively more continuous.[26]

Although double-cropping statistics do not give a completely accurate view of the quality of agricultural production, they reveal the difference a more assured supply of water made to agricultural seasonality in different places.[27] As Table 1.3 shows, northern thanas with inter-dependent tank and channel systems had a larger double-cropped area. It is true that a large part of the second crop was composed of cheaper crops like *khesāri*, a leguminous crop sown among the rice stubble, and gram.[28] Even so, it is evident that, generally speaking, endowed with a more assured system of irrigation, the northern part of Gaya had more intensive agricultural operations. This meant that the seasonality of agriculture was less marked in the north compared to the south, where lands growing just one crop were much larger. So in the nineteenth century, when George Grierson noted the change in the agricultural landscape as he moved from north to south, his observation was well founded.[29]

between north and south *within* Gaya appears at the level of difference *between* northern (Patna) and southern (Gaya) districts. Thus, in Patna, where the slope becomes very gentle, 22 percent of its net cropped area was irrigated by channels and 24 percent by tanks. For Gaya district as a whole, it was 16 percent for channels and 27 percent for tanks.

26 This was not true of Arwal, where the Son canal provided the predominant source of irrigation. Pakribarwan and Atri also did not follow the general pattern of the north. The hilly elevations in these thanas accounted for their low channel and, consequently, also for their low net cropped figures. In Rajauli's case, the close relation between tanks and channels is a little misleading – its high figures for channels were caused by the large number of rivers which criss-cross this thana (*GSR*, 138). But sharp slopes and high watershed must have prevented a close connection between tanks and channels.

27 The notion of agricultural seasonality not only involves the seasonal change in production but also a whole host of related seasonal variations in family and social life, human body functions, and climatic changes. In this study, however, I have only taken the seasonal change in agricultural production into consideration. For a discussion of the concept of agricultural seasonality and case studies of its different aspects, see *Seasonal Dimensions to Rural Poverty*, eds. Robert Chambers, Richard Longhurst, and Arnold Pacey (London and New Jersey, 1981).

28 *GSR*, 80.

29 Grierson, *Notes*, 3. He went on to further subdivide Gaya district into four areas on the basis of fertility (pp. 81–82). His four divisions, however, are not incompatible with the distinction he made between north and south.

Table 1.2. *Relation between tanks and channels in northern and southern thanas*

Thana	Percent[a] of net cropped area irrigated by channels	tanks	Net cropped area (acres)
North			
Arwal	9	16	100,298
Jahanabad	30	25	212,283
Tikari	21	23	146,217
Atri	19	36	86,270
Nawada	32	31	211,298
Daudnagar	3	12	126,157
Pakribarwan	14	38	78,636
South			
Mufassil Gaya	16	33	179,366
Aurangabad	4	22	292,033
Nabinagar	5	30	119,965
Sherghati	11	29	127,927
Barachatti	12	37	90,056
Rajauli	28	24	57,000

[a] Decimal fractions have been rounded off to whole numbers.
Source: GSR, Appendix II.

Table 1.3. *The area double-cropped and seasonal distribution of crops in northern and southern thanas*

Thana	Percent[a] of net cropped area under				Twice cropped
	Bhadoi	Aghani	Rabi	Other	
North					
Arwal	8	73	66	1	50
Jahanabad	10	61	74	1	46
Tikari	5	47	75	1	27
Atri	6	61	53	1	21
Nawada	12	68	48	1	28
Daudnagar	6	48	76	1	30
Pakribarwan	10	61	55	0	25
South					
Mufassil Gaya	5	56	50	1	12
Aurangabad	6	41	69	1	16
Nabinagar	5	42	65	0	13
Sherghati	18	52	45	1	17
Barachatti	14	60	34	1	10
Rajauli	18	59	41	1	18

[a] Decimal fractions have been rounded off to whole numbers.
Source: GSR, 77.

Regional diversity and kamias

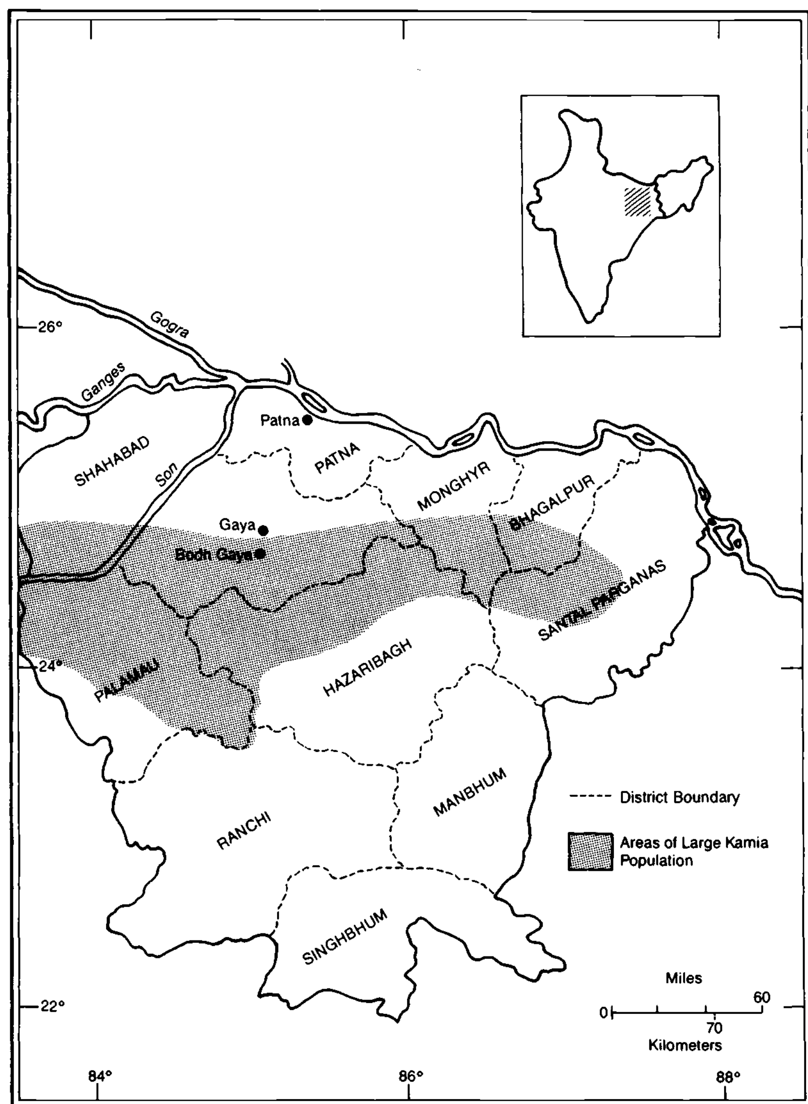
The continuum of conditions from north to south in south Bihar embraced much more than irrigation practices. The incidence of labor bondage also defined regional diversity. Revenue settlement operations in the early part of this century revealed that labor bondage, contrary to expectations, had not disappeared. Usually belonging to the outcaste group called Bhuinyas, kamias were found in every district of south Bihar, and they were distinguished by the advances of money and grain that they received from landholders. Their long-term bondage prompted the government to order an enquiry. The investigation revealed an interesting regional distribution in Bihar. In general, the report found that kamias were relatively rare north of the Ganges.[30] In south Bihar, the report pointed out, the number of kamias – consisting almost always of the outcaste Bhuinyas – increased toward the south until the Gangetic plain gave over to the Chotanagpur plateau; in the plateau, the kamias were preponderant in the region embracing the northern portions of Palamau, Hazaribagh, and Santal Parganas, that is in areas bordering the south Bihar plain (Map 1.3). For instance, in Hazaribagh district it was prevalent mostly in the northern thanas;[31] in Santal Parganas, the Deputy Commissioner reported, kamias were found in areas contiguous with the south Bihar plain.[32]

The distribution of the kamia population in south Bihar, then, correlates with differences along the north–south continuum in irrigation and agriculture. Did the regional distribution of kamias have something to do with the pattern of agriculture? Did the high agricultural seasonality of the southern region generate particular labor demands, met by labor bondage? Such questions are intrinsic to the very definition of south Bihar as a region. Once the British had made south Bihar knowable according to certain universal categories of classification – soil, terrain, agrarian practices – and made it visible as an internally differentiated region, it became possible to ask how labor bondage related to other sets of differences. Of course, the British themselves did not further pursue the logic of regional

[30] NAI: GOI, RAD (Land Revenue), February, 1920, Proceedings No: 3–5; letter dated September 20, 1919 by the Secretary, Bihar and Orissa Revenue Department. Although the letter noted that labor bondage was found in two north Bihar districts (Purnea and Champaran), it stated that kamias were largely found in south Bihar.

[31] *Final Report on the Survey and Settlement Operations in the District of Hazaribagh, 1908–15*, by J. D. Sifton (Patna, 1917), 109 (hereafter *HSR*).

[32] BSA: Government of Bihar and Orissa (hereafter GOBO), (Land Revenue), November 1919, Proceedings No. 6–10, cited in the letter by W. H. Lewis, dated February 20, 1919.



Map 1.3 The regional distribution of kamias

analysis enabled by their agro-economic discourse. Instead, it was the otherness of India – tradition, caste, religion – that came in as a handy explanation for questions raised by regional analysis. Thus, the Settlement Officer of Gaya formulated the question of labor demand in terms of caste prohibitions. According to him, the kamias solved the problem of labor supply for upper-caste landholders who did not perform the actual task of cultivation themselves.[33] He did not, however, ask why an assured supply of labor through bondage was more sought after in the south than in the north. But even if the question was not asked, the basis for the question about the possible relationship between agricultural seasonality and labor bondage lies in the very terms of south Bihar's constitution as a differentiated region. And therefore, it should be asked.

The predominance of paddy cultivation in south Bihar meant that there were certain times in the agricultural season when the demand for labor increased. Transplanting was the biggest source of labor demand. Seedlings had to be dug out, carried to the fields, and sown immediately, an operation that all had to be accomplished within a few days. For the next few months there was a constant demand for labor for weeding and irrigating the fields, and then reaping and threshing again necessitated a further concentrated demand for labor. Even small peasants needed help during these peak periods to supplement their family labor; landowners and peasants with large holdings required more. In the southern region, where peasant cultivation gave way in prominence to estates,[34] the demand for labor would have been still greater yet. Of course, once the paddy was harvested and stored, the demand for labor fell drastically, except when a second crop was grown. Although the intensity of agricultural practice varied with the crop, in northern thanas, generally speaking, work would still have been available because double-cropping was widely practiced. Further south, labor demand fell much more

[33] *GSR*, 63.

[34] This is based on the information given in "Village Notes" compiled during the Settlement operations in Gaya district during 1911–18. Although they do not contain detailed village statistics, the general information on roughly five thousand villages strongly suggests that peasant cultivation became less important in the south. This inference can be drawn from the existence of larger villages with greater diversity in social composition in the north. In the south, these give way to smaller villages, less social diversity, and sharper social inequality. It was in the south that the Hindu monastery of Bodh Gaya held most of its land. In villages held by the monastery, the peasant-caste population was low and that of Bhuinyas, who worked as kamias, high. Gaya Collectorate Record Room (hereafter GCRR): "Village Notes" on villages in the Sadar and Jahanabad subdivisions.

sharply, and this situation favored the creation of special bonds between laborers and landowners. The supply of labor for peak periods of paddy cultivation could be guaranteed if special ties were in effect throughout the year. In areas where work was available for most parts of the year, the need for special bonds seems to have been less. Northward, intensive agriculture, characteristically based on family labor in a context of greater population density, had two effects. First, the demand for labor being moderate for the spring crop, family labor would have been sufficient for small peasants. Second, work would have been available for laborers on large landlord-estates and big peasant-farms. Further south, on the other hand, where the second crop was primarily a catch crop like khesari, sown on paddy fields, very little work would have been available. In such a situation of high agricultural seasonality towards the south, the existence of an attached labor force made sense.

The greater prominence of the kamia labor system in the south no doubt indicates its importance in the region's agrarian economy, but to conclude from this that labor bondage was simply a response to the needs of agriculture traps us within the very agro-economic discourse whose historical construction we seek to understand.[35] The agrarian economy, after all, was created under social relations of production secured and reproduced by power, as Pierre Dockès's work on the transition from slavery to serfdom reminds us.[36] But the series of differences along the north–south continuum that the colonial records identify leads us into the stranglehold of agro-economic determinism; because the region is configured according to economic geography, and social relations are seen in terms of their economic functions, it is difficult to resist the conclusion that the kamias were bonded laborers who satisfied the particular demands of south Bihar

[35] Pointing to the evidence from South India and Sri Lanka, which show that dependent ties exist even in regions with low agricultural seasonality, John and Barbara Harriss conclude that whether or not "the poor 'are screwed down seasonally into subordinate and dependent relationships' seems to depend on factors...such as the relations of the poor to the means of production, the particular history of political mobilisation, and finally, the action of the State." See their "Seasonality and Dependence in South Asia" in Chambers et al., eds., *Seasonal Dimensions*, 209–10. In other words, dependent labor relationships cannot be simply assumed from high agricultural seasonality; whether or not a correlation is established between the two in any given society would depend on class relations and conflicts.

[36] See his *Medieval Slavery and Liberation*, tr. Arthur Goldhammer (Chicago, 1982). Also relevant to this question is Stephen A. Marglin's illuminating essay, "What do the Bosses Do? The Origins and Functions of Hierarchy in Capitalist Production," *The Review of Radical Political Economics*, 6, 2 (Summer, 1974), pp. 33–60.

agriculture. This conclusion is no doubt attractive because, as Karl Marx's discussion of commodity fetishism and Karl Polanyi's formulations on the embeddedness of the economic in the social under pre-capitalist formations show, the representation of social relations according to economic categories appears natural under capitalism.[37] Even though the British themselves did not correlate agricultural seasonality with labor bondage, such a correlation was made possible precisely because they rendered these features visible. But what processes brought south Bihar to this arrangement? How did kamias become bonded laborers and how did economic categories come to configure the social landscape of south Bihar? By these questions, I do not mean to suggest that we should trace the origins of bondage and colonial economy in the past, showing the present as the final destiny of the past. Quite the contrary; my aim is to trace differences: to show how the kamias existed in the past and by what processes they are changed into bonded laborers; and to sketch the means by which the political economy of the region designated as south Bihar came to incorporate the transformed kamias. As a beginning in that direction, the next chapter interprets oral and written texts in order to establish the nature of pre-colonial agrarian economy and kamia–malik relations.

[37] Karl Marx, *Capital: A Critique of Political Economy*, I, tr. Ben Fowkes (New York, 1977), 163–77; Karl Polanyi, *Primitive, Archaic, and Modern Economies*, ed. George Dalton (New York, 1968).

2
True stories

...a clairvoyant history should admit that it never completely escapes from the nature of myth.

Claude Lévi-Strauss, "Overture to *Le Cru et le cuit*," 1966.

The very distinction between real and imaginary events, basic to modern discussions of both history and fiction, presupposes a notion of reality in which the "true" is identified with the "real" only insofar as it can be shown to possess the character of narrativity.

Hayden White, "The Value of Narrativity in the Representation of Reality," 1980.

Gods, kings, warriors, and servants, rather than capitalists, proletariat, landlords, and laborers, inhabit the pre-colonial world represented in oral texts. Preserved, transmitted, and performed as oral traditions by the Bhuinyas – a group that, ranked as outcaste, has historically existed as kamias – the traditions make the pre-colonial society of kamias and maliks appear irreducibly different from the colonial world of bonded laborers and landlords. The same can also be said about the written evidence on the pre-colonial period. Instead of the nineteenth-century picture of south Bihar as an agricultural continuum extending from the north to the south, these paint the two parts as contrasting areas which, over time, came to resemble one another because of conquests, colonization, and agricultural intensification; and they attribute this change to the actions of kings, warriors, saints, and Brahmans. Thus, the written records, too, make the pre-colonial world look irreducibly different.

But whereas the written sources employ the mode of documenting actual persons and events, the oral traditions use mythic figurations. And, if the nineteenth-century colonial descriptions of south Bihar employed the trope of natural environment and agricultural production in constituting the reality of agro-economic regimes, the Bhuinya oral texts have different constitutive elements. They consist of mythic time, space, and events, of epic battles and tragic betrayals that the performer leads his listeners through as if everyone is witnessing,

experiencing, and participating in the unfolding of fantastic happenings. Such emotion-ridden tellings of the Bhuinya history which speak of mythic figures and events violate all the canons of realist history that we are familiar with and treasure. They speak of imaginary events and figures that find no mention in the dusty archival documents and could never have been actual; and being rooted in the ritual practices of the present, the traditions seem to have very little relevance for the reconstruction of the Bhuinyas' history. But it is worth reminding ourselves that historical knowledge, in truth, consists in imagining the past; historians deploy different modes of narrativity, textual strategies, and analytical methods to imagine and understand how people lived in the past.[1] In this sense, the Bhuinya oral traditions are no different: they too imagine the past. Reconstructing this imagined past requires that we interpret – without attempting to normalize and familiarize the fantasy, mystery, and magic in these traditions – those elements that appear mythic. Such an interpretation reveals a context very different from that of the modern period. And, although the preservation, transmission, and performance of these traditions also reflect upon the present and past contexts – a point explored in a later chapter – the oral texts themselves also reflect their contexts. We can therefore make the oral traditions illuminate the pre-colonial history of kamias in south Bihar. In doing so, I will use the extant written records to anticipate, confirm, specify, and contextualize the oral evidence. But before we turn to the written contexts and oral texts, we need to ask two questions: Why should we focus on the Bhuinyas? And who are they?

It is easy to answer the first question. As colonial records amply demonstrate, the Bhuinyas constituted a major part of the kamia population in south Bihar.[2] Placed outside the four *varnas* of the Hindu caste system, the Bhuinyas' prominence as kamias makes the interpretation of their oral traditions crucial for the understanding of the kamias' history. The second question, however, is more difficult to answer. A clear understanding of who the Bhuinyas are is clouded by the fact that groups with this name exist in widely varying conditions in different parts of the country.

In the eighteenth century, Bhuinyas in the hilly tracts of Monghyr

[1] Hayden White's "The Question of Narrative in Contemporary Historical Theory," *History and Theory*, 23, 1 (1984), and *Tropics of Discourse: Essays in Cultural Criticism* (Baltimore and London, 1978), Chs. 1–4, make this point. Also relevant is Roger G. Seamon's "Narrative Practice and the Theoretical Distinction between History and Fiction," *Genre*, 16, 3 (1983).

[2] GCRR: "Village Notes."

and Bhagalpur districts were *ghatwāls* who had formerly owed allegiance to rajas in the north. As ghatwals, they were guardians of mountain passes, bound to oppose invasions from the south and to support their rajas with their armed followers when called upon to do so. These Bhuinya landholders were connected by marriage and were internally ranked. Superior Bhuinya lords adopted the title of raja once the power of rajas in the north, to whom they had been formerly subordinate, declined,[3] while the junior lineage chiefs were called *tikaits*, that is, those who had received the token of investiture (*tikā*) from the raja. When Francis Buchanan visited Bhagalpur in the early nineteenth century, although Hindus did not concede a high status to Bhuinyas in general, Bhuinya chiefs claimed warrior (*kshatriya*) status and solar descent.[4] In northern Chota Nagpur, the term ghatwal had become a caste name of Bhuinya tikaits.[5] In the tributary estates of Orissa, which borders southern Chota Nagpur, a similar internal stratification of the Bhuinyas into different castes appeared in the nineteenth century. The ruling lineages in these estates claimed warrior rank even though their authority derived from the token of investiture they received from the subordinate Bhuinya chiefs.[6]

Different from ghatwals and tikaits were the Pawri hill Bhuinyas in the tributary states of Orissa. Although divided into clans and chiefships, there was no tendency towards formation of castes among the Pawri Bhuinyas. Practicing swidden cultivation and shifting their settlements from one site to another every ten years or so, they neither developed land tenures such as ghatwali, nor did they break into stratified groups.[7]

In sharp contrast to the independent Pawri Bhuinyas of Orissa and ghatwals and tikaits in highland Bihar were Bhuinyas of the south Gangetic plain. Here most Bhuinyas became kamias, as did a large number of Bhuinyas in northern Chota Nagpur.[8] Castes such as Musahars and Rajwars, who appear connected to Bhuinyas in their

[3] The above account is based largely on James Browne, *India Tracts* (London, 1788), 22–26.
[4] Francis Buchanan, *An Account of the District of Bhagalpur in 1810–11* (Patna, 1939), 26 (hereafter *BR*).
[5] *SAB*, XVI, 78.
[6] E. T. Dalton, *Descriptive Ethnology of Bengal* (Calcutta, 1872; rpt. Delhi, 1978), 140.
[7] Ibid., 139–48. The more detailed account of the social organization and economic conditions of the Pawri Bhuinyas is given in S. C. Roy's *Hill Bhuiyas of Orissa* (Ranchi, 1935).
[8] Thus, W. W. Hunter noted in 1877 that kamias were mostly Bhuinyas, *SAB*, XVI, 112. The same was true of Palamau also. See *Bengal District Gazetteers: Palamau*, by L. S. S. O'Malley (hereafter PDG) (Calcutta, 1907), 46.

origin myths and rituals,[9] also became kamias. Thus, taken together, groups with the name of Bhuinya present a very diverse picture.[10]

Early British and Indian ethnologists viewed these widely different conditions of the Bhuinyas as successive stages in their evolution.[11] They ascribed the primitive stage to the hill Bhuinyas and the more advanced and "corrupted" evolutionary phase to the Bhuinyas of south Bihar. The straitjacket of unilineal evolutionism aside, the Bhuinyas of south Bihar show traces of their connection with other Mundari-speaking groups, including the hill Bhuinyas of Orissa. For instance, they have traditions recalling analogues of what is known as *phul khusi* marriage among the hill Bhuinyas and "seizure marriage" among other Mundari-speaking people.[12] The term Sabari, meaning woman of the Savara, also occurs in their tradition. But all we can conclude from these facts is that non-Hindu-descent groups inhabiting the south Bihar plain shared certain cultural practices with the groups in highland Bihar and Orissa.[13]

How part of a multitude of groups known collectively as Savaras in Sanskrit literature came to be called Bhuinyas, who consisted of separate groups with dissimilar histories, is lost to historical record.[14] The term Bhuinya is derived from the Sanskrit root *bhumi* (land), and means "of the soil." It appears likely that as Hindu groups came into contact with them, they gave autochthones the name Bhuinya.[15] Subsequent Bhuinya history is unknown until colonial records in the nineteenth century make them visible as separate groups dispersed

9 H.H. Risley, *Tribes and Castes of Bengal* (Calcutta, 1891), I, 112.

10 Noting that the Bhuinyas' social position deteriorated from south to north, H. H. Risley suggested in 1891 that "the south of the Chota Nagpur country may have been their original centre of distribution. Spreading from that point, their social fortunes seem to have been determined by the character of people with whom they came in contact. The stronger non-Aryan tribes – Mundas, Hos, and Santals – cut a wedge through the line of Bhuinya advance towards the north; a small number successfully established themselves in Hazaribagh beyond the range of Mundas, while those who travelled the furthest in this direction fell under the domination of Hindus in Bihar, and were reduced to the servile status which the Musahars now occupy." Ibid., I, 111.

11 Ibid., I, 108–10.

12 Roy, *Hill Bhuiyas*, 27.

13 Ibid., 22–23; Dalton, *Descriptive Ethnology*, 149. Interestingly enough, during his archaeological surveys in the 1870s, Alexander Cunningham noted legends around Bodh Gaya attributing all the buildings round the Buddhist temple to a Savara chief, Amar Singh Suir. See Archaeological Survey of India, *Report of the Tours in the Gangetic Provinces from Badaon to Bihar in 1875–76 to 1877–78* (hereafter ASI, *Reports*), XI (Calcutta, 1880), 128.

14 Romila Thapar points out that names like Savara were used as generic terms for non-Hindu tribes residing in the Vindhyas. See her "The Image of the Barbarian in Early India," *CSSH*, 13 (1971), 408–36.

15 Cf. ASI, *Reports*, XI, 132–33.

over south Bihar, highland Bihar and Orissa. By then, not only did all of these separate groups having the same name live under different conditions, but each group also conceived of itself as a distinct entity. Thus, there is no mention of any connection among the different groups of the Bhuinyas in any of the legends and oral traditions. Indeed, as the case of the Bhuinyas of the south Bihar plain shows, their oral traditions are concerned with their specific existence as kamias.

The nature of Bhuinya traditions

As is the case with all oral traditions, the Bhuinya oral traditions convey messages which, accumulating over time, give us historiologies (in Jan Vansina's terms), or accounts interpreting the past.[16] Such accumulating interpretations imply constant change in the messages because their goal is to "establish what in the past, believed to be real, was relevant to the present."[17] But because these are traditions, the performer scans the corpus of images, plots, figures, and forms of narration present in his memory, and selects only those which are recognized as traditional. So, even as the past is constantly reinterpreted by the oral traditions, it is done by referring to certain constant elements.

There was a time when historians sought historical evidence not in the practices of remembering, transmitting, and performing these constant elements of the tradition but in the elements themselves. So long as oral traditions were viewed by historians as analogues of written records, fixed texts were highly regarded because they established the historicity of the evidence contained in the text. Even Jan Vansina, who has done much to establish the legitimacy of using oral sources for historical reconstruction and has developed methods for this purpose, privileged this oral counterpart of the written record in his earlier classic monograph on oral history methodology; consider, for example, the emphasis on tracing the mechanism for transmission of testimonies in that work.[18] No doubt, historians subjected fixed texts to critical analysis, but the greater value placed on such traditions revealed the search for an oral counterpart of the fixed written document. But today the strict separation between the written and the oral itself appears doubtful for several reasons. First,

[16] Jan Vansina, *Oral Tradition as History* (Madison, 1985), 196.
[17] Ibid.
[18] Jan Vansina, *Oral Tradition: A Study in Historical Methodology* (Chicago, 1965), 19–46.

the notion of purely written and purely oral texts is difficult to sustain; written texts are often a transcription of the oral, and the oral frequently borrows from, refers to, and even opposes written texts. In other words, the two intersect and interpenetrate so greatly that the notion of two exclusive forms is rendered untenable.[19] Second, if meaning does not reside in the text itself, as the current thinking on interpretation of texts holds, but in the process of its production, its history, and its reading, then the notion of an original message present in the written text cannot be sustained.[20] Rather than conveying an original reality imprinted in the printed word, the written document contains statements whose meaning we interpret by referring to the historical context, to the history of its reading, to multiple sources, to different interpretations. And much like the Bhuinya oral traditions, the written sources too have been created because they accomplish certain tasks, such as fixing tax liability and establishing sovereignty of lords and kings. They have been preserved because they do something, namely, provide the basis for constructing historical consciousness. Written sources have been produced, again much like oral traditions, according to certain literary forms – correspondence, memoranda, declarations, reports, gazetteers, novels – which constitute the content. And they exist in relation to other texts, that is, intertextually – as the current jargon will have it.

So, rather than conceiving them as opposites, we can treat both oral traditions and written documents as different forms of texts. They differ from one another because, while the oral is spoken and performed and therefore appears mythic and changing, the written is inscribed and therefore appears real and fixed; while the oral tradition, prior to its transcription, does not allow the listener to change the spatial and temporal dimension of the performance, the written text can be read in any sequence and space. Because

[19] Rosalind O'Hanlon's *Caste, Conflict, and Ideology* (Cambridge, 1985), 164–86, for example, contains an excellent analysis of the interpenetration of written and oral texts in nineteenth-century Maharashtra.

[20] This is not to deny that orality and writing are two different modes of textuality, as Walter J. Ong so persuasively argues in his *Orality and Literacy: The Technologizing of the World* (London and New York, 1982). In fact, his argument that writing objectifies the text and makes historical reflection possible because the inscribed page appears as an alienated product supports the view that written texts do not contain an original message but defer their meanings to interpretation. For, if writing involves inscribing a page with a graphic code, then it invites interpretation. It is the act of interpretation that *dis*closes the closure of the printed word and makes deferred meanings appear as revelations of an original message. See also Jacques Derrida, *Margins of Philosophy*, tr. Alan Bass (Chicago, 1982), 315–17.

inscription allows reading of the written text outside its context of production, the written document appears to disclose and reveal the past; the objectification in the form of writing seems to make the past reality visible with some degree of concreteness and finality. But it is worth remembering that attribution of truth-value, finality, and disclosure to writing comes from our interpretations of the difference between speech and writing; because the written script outlives the context of its production, we assume that the past is captured there in its original state. But obviously this privileging of writing over speech articulates the myth of objectivity, just as the privileging of speech over writing enunciates the myth of autonomous subjectivity.[21] The dissolution of the opposition between oral traditions and written records sketched above allows us to treat them as different but overlapping and intersecting texts that are also internally differentiated by particular histories, contexts, genres, and performances. The search for historical evidence in oral traditions, therefore, does not require that we look for the oral analogues of the supposed fixity of meaning in written texts. In fact, the chain of transmission by which the provenance of the oral record is sought to be determined becomes, as Joseph C. Miller points out, only one of the several elements which contribute to the production of a tradition.[22] It is when the transmitted elements are placed in relation to the mode of production of the narrative that the interpretation of oral traditions as historical evidence becomes possible. This is so because once we understand why and how these traditions were produced, their meanings can be historicized.

An important feature of the production of the oral traditions that we need to note is that they are performed on ritual occasions. Typically, marriage is the occasion for reciting traditions about the Bhuinyas' legendary ancestor, Tulsi Bir. Arriving through the shaman, Tulsi Bir consecrates the marriage by accepting propitiation and appears in the singing of heroic epics, after all ceremonies and

[21] The notion that writing enables fixed and objective meaning is founded on what Jacques Derrida calls the western "metaphysics of presence" which, he argues, privileges speech as the source of meaning. Treating the written word as a record of the spoken, this western metaphysics locates being in presence and truth in speech because the spoken word appears to give an unmediated access to the source of originary meaning – the autonomous self. See Jacques Derrida, "Plato's Pharmacy," in his *Disseminations*, tr. Barbara Johnson (Chicago, 1981).

[22] Joseph C. Miller, "Introduction: Listening for the African Past," in *African Past Speaks: Essays on Oral Tradition and History*, ed. Joseph C. Miller (Kent, 1980), 2–5. For a rich and sensitive description of how traditions are produced and performed, see Harold Scheub, *The Xhosa Ntsomi* (Oxford, 1975).

the communal feast are over. It would be inappropriate to call the recitation of oral traditions a mythical charter for marriage rites, because the telling in itself is a ritual performance. Torn from the context of its dramaturgy, the written renditions of oral traditions appear as mere mythical charters, but when witnessed in their actual staging they are powerful and emotionally moving acts to the participants. Unlike myths that merely explain a certain sequence of events from past to present, the telling of oral traditions actually does something. Reversing the sequence of events, ritual performances of oral traditions move the present to the ideal or mythical past, as rituals do, according to S. J. Tambiah.[23] The singing of epics is the climactic act of the ritual performance by which two Bhuinya families that have come together affirm their common descent from Tulsi Bir. Since it is the concluding act of the marriage ritual, sung to the throbbing beat of the *mandar* drum, the function of oral traditions appears to be one of reinforcing Bhuinya identity and solidarity. This is evident not only from the ritual context in which these traditions are performed, but also from the fact that the oral narratives historicize the Bhuinya identity; telling stories establishes the historical facticity of Bhuinyas as a distinct group. This is also true of the legends that the British and Indian ethnologists collected in the early part of this century.[24] In these, the Bhuinyas of south Bihar showed an awareness of their identity as a caste and as part of the caste hierarchy.[25] Any trace of their being related to the hill Bhuinyas of Orissa, for example, is as absent in these legends and traditions as it is in the oral narratives that I heard and recorded in 1981–82. So is any mark of their history prior to being named Bhuinyas. The traditions, therefore, belong to a social group that has a memory of itself as having always been of the Bhuinya caste.

In representing the Bhuinyas as a distinct group, the oral traditions of the laboring Bhuinyas in south Bihar and northern Chota Nagpur speak of their *birs* (heroes). Claimed as ancestors, these traditions represent the stories about the Bhuinya birs, such as Tulsi Bir, Dular Bir, Nadu Bir, Basaha Bir, and Lahanga Bir, as narratives concerning the Bhuinya collectivity. But of all the birs, the traditions about Tulsi Bir are most common because he is believed to be the apical ancestor of the Bhuinyas. Invoked and propitiated during

[23] My interpretation closely follows the view put forward by S. J. Tambiah in *Buddhism and the Spirit Cults in North-East Thailand* (Cambridge, 1970), 304–09.

[24] Roy, *Hill Bhuiyas*, 30–32; *GDG*, 93.

[25] All of these speak of the origins and history of heroes clearly claimed as ancestors of the outcaste Bhuinya caste.

life-cycle rituals, he is the principal figure in Bhuinya oral traditions. But all the Bhuinya traditions that I heard and recorded celebrate the greatness of their heroes. Constructed as epics, the Bhuinya traditions recognize and refer to this genre of oral poetry by its refrain – "I look at the *hijara*, now I see the *puttarā*." The interesting fact about this refrain is that the Bhuinyas today do not know that hijara and puttara have calendrical references – hijara to the Muslim *hijra* calendar, and puttara to the Hindu almanac; to them, it is a poetic device of rhythmic value but without any meaning. It is perfectly understandable that the Bhuinyas are unaware of any value, other than rhythmic, of these terms, as they are hardly used today. To them, the refrain identifies and helps construct the heroic epics of their birs. But one cannot regard the calendrical reference of the Muslim hijra and the Hindu puttara as merely coincidental. Apart from its rhythmic value, the fact that each sequence of events narrated in the epic ends with this refrain suggests the calendrical reference originally conveyed the idea that the narrator was relating a chronological historical tale. Once positioned as historical, descriptions extolling the greatness of the Bhuinya birs also acquire historical provenance. Depictions of how, overcoming adversity, displaying courage and cunning, these birs performed miraculous feats and defeated powerful enemies become appropriate events for interpreting the past. It is thus that victories and defeats, loyalty and betrayal, gods with evil designs and demons with benign spirits, mean-spirited warriors and generous common folk also become the stuff of the oral traditions.

If the refrain identifies the genre of bir epics and suggests the appropriate themes, persons, and events to be treated, the performer constructs these epics by using a repertoire of core images and plots which, in Joseph C. Miller's term, act as clichés, that is, as mnemonic devices to remember, represent, transmit, and recall culturally significant historical details.[26] These core images and plots are so widely known that even children know one or more core plots. With

[26] My use of the term "cliché" follows the definition given by Miller: "The *cliché* is a highly compressed and deceptively simple statement of meaning that refers to a much more complex reality, sometimes in the past. It is also a stereotype in the sense it reduces a great deal of variation to a single unified representation, but it is much more than a stereotype because, while the term stereotype may connote unconscious and inherent inaccuracy, cliches are deliberate and purposeful simplifications and thereby accurate in some respects. Clichés may occur in several linguistic forms, but they are commonly proverbs, sometimes songs or chants, and typically in oral traditions elementary narrative themes like the arrival of a foreign hunter who settles as a king among the local people... The features that unite all

experience, the Bhuinyas assimilate the skeleton of the tale suggested by the core plots. Those with skill and imagination add to the skeleton by providing causation, sequence, dramatic detail, and humor to the story. An accomplished performer is one who, having watched and participated in the performances at numerous weddings, stretches out the unfolding of each episode. With a wealth of formulae gained from experience, a skilled performer makes the audience gasp and sigh, laugh and weep as the story unfolds.

The genre of bir tales that the performer uses, and the core plots and images with which the performer constructs a complete narrative by innovative combinations, are drawn from and are a part of the larger repository of lower-caste epic poetry in Bihar and the neighboring eastern Uttar Pradesh.[27] Including the more widely known tale of Lorik, to which the earliest reference goes back to the end of the fourteenth century,[28] these epics contain a repertoire of

these forms of cliché are that they are short, often dramatic and striking, sometimes phrased in structured language, and because of all this *easily remembered*. One may argue that oral historians [narrators] have given these clichés their distinctive forms at least in part in order to render them memorable. This functionalist explanation of why clichés appear in narratives implies that oral historians employ them to tell history to preserve a reliable referent to the past that they can no longer tangibly perceive and with which they might otherwise lose touch." Miller, "Listening for the African Past," 7–8. In general, my analysis of the Bhuinya oral traditions owes a great deal to Miller's essay.

27 Diane Marjorie Coccari's "The Bir Babas of Banaras: An Analysis of a Folk Deity in North Indian Hinduism," unpublished Ph.D. dissertation (Madison: University of Wisconsin, 1986) provides details on the widespread existence of bir epics among the lower castes of south Bihar and eastern U.P., and analyzes the bir cults and shrines in the Banaras region. The fact that these lower castes share and remember a repertoire of plots and formulae is clear from the extant evidence. For example, the plot of wrongful imprisonment that the Bhuinya traditions invoke was also used in a Dusadh epic recorded by George Grierson in 1884. See his "Songs of Bijai Mall," *Journal of the Asiatic Society of Bengal* (hereafter *JASB*), 43, 3–4 (1884), 95–150. A sub-plot used in Grierson's recorded epic, whereby the boy-hero becomes aware of his ancestors' predicament only when his playmates accuse him of cowardice, also occurs in a Bhuinya epic wherein many of the same names are used but its hero is a Bhuinya. Similarly, a sub-plot in the Bhuinya epic which establishes the Bhuinya hero Tulsi Bir's charm and cunning by showing that he appeased a demon and demoness ready to devour him (a version that I recorded and present later in this chapter) was also used by the Bhuinyas in late-nineteenth-century eastern Uttar Pradesh. See William Crooke, "Folktales of Hindustan," *Indian Antiquary* (hereafter *IA*), 23 (March, 1894), 78–81.

28 A fourteenth-century Maithili text refers to the singing of Lorik epics. See, S. K. Chatterjee and Babua Misra, eds., *Varna-Ratnâka of Jyotīsvara-Kaviśekhârcārya* (Calcutta, 1940), xxiv-xxv. The same century also witnessed (in 1379) a written rendition of this epic by a Sufi saint, Maulana Daud. While these early texts do not explicitly state that Loriki was a lower-caste epic, such a possibility is strongly suggested by the record of more than a century of singing of Lorik tales as a part of the larger epic poetry about Ahir or Goala heroes. See Coccari, "Bir Babas of Banaras," 208–66.

formulae, plots, clichés, and images that the Bhuinyas share with the traditions of other castes. Each version of a tale is a product of the manipulation of these building blocks that have been orally transmitted and which form the heritage of lower castes. The narrator of the tradition combines these elements in a way that makes the particular version culturally attuned to the audience. The combination, however, displays both innovation and regularity – innovation because the form of the epics is what Jan Vansina has termed "non-formal," that is, the epics only follow ordinary rules of grammar.[29] As far as formal factors affecting transmission are concerned, the epic poems have a free text, where only the content and not the words belong to the tradition. This does not mean, as Vansina points out, that the traditions narrated do not have regularities and recognizable patterns. Even when the narrator does not reproduce words exactly as they were transmitted, these traditions, or free texts as they are called, reproduce clichés and images which contain the content of the tradition. The bir tales are free texts, and yet there is a certain regularity of plot development that one learns to expect and indeed does hear in different versions. This similarity of different versions of the same tradition, the occurrence of the same plots, images, and formulaic themes arises from the public performative nature of traditions. Their recurrent ritual use has lent them a highly structured nature so that even the episodes used to explain the clichés have become part of the remembered tradition. And so, in spite of not having a fixed form of transmission, oral narrations explaining clichés from different areas show a striking convergence.

From the foregoing discussion, it should be clear that the convergence of narratives and the structured nature of episodes do not necessarily imply that the tradition has retained its original meaning. Insofar as oral traditions are not antiquarian remnants of the past but a form of historical consciousness deployed dynamically to construct the Bhuinya identity, it is necessary to see traditions as living processes. What makes the constant elements in the oral traditions, that is, that clichés in the form of core plots and images, historical evidence are practices by which they are remembered, transmitted, and performed as bir epics. It is not their fixed appearance but their transmission, positioning, and performance as historical accounts that makes the analysis of these clichés as

[29] Methods for classifying traditions into formal and non-formal forms are discussed in Vansina, *Oral Tradition*, 54–64.

historical evidence possible. We should note, however, that because the traditions are remembered in terms of formulaic themes, plots, and images, the mythic trope figurates the interpretive account of the Bhuinya history. The historical evidence that they yield on the pre-colonial south Bihar society and the position of the Bhuinyas in it as kamias, therefore, is also structured by mythic figures.

Gods and birs

In their oral epics, the Bhuinyas reconstitute, in terms of encounters between their birs and gods, their historical status as a ritually polluted group engaged in agricultural labor. The narrative is located in an organic world that their birs inhabit along with gods and goddesses. In a world animated by mythic figures and magical events, gods and goddesses appear worldly, the birs seem divine, the lowly display warmth and generosity, and the exalted become mean and deceitful. The performance of epics built upon such reversals of conventional expectations provides the means for reinterpreting the Bhuinya identity and helps transmit the remembered clichés that they elaborate. The performance makes each elaboration of the cliché a new rendition of the tradition, a new attempt to reconstitute their context. But insofar as the basis for each performance is provided by the status of the clichés as compressed historical accounts, we can interrogate these clichés in order to discover the terms in which the Bhuinya history is interpreted. With this aim, I will now consider the cliché of ritual pollution which, elaborated in the bir epics, exists in the form of a core plot.

Told in terms of birs and gods, the cliché of ritual pollution concerns Tulsi Bir. When narrated, this cliché is often combined with other core plots and images that render the chronicle more complex. Thus, of the three versions of traditions deploying the core plot of ritual pollution considered here, two insert the cliché of the breached embankment in the narrative. The first two are taken from accounts compiled during the early part of this century. These are rather cryptic, perhaps because they were regarded as myths, undeserving of consideration as historical evidence. The third version is a tradition that I recorded when it was performed by an accomplished narrator during a marriage.[30]

[30] Although I began recording the epic while it was being performed during a marriage, I did not complete it because the festive atmosphere made it apparent that the recording would be indecipherable. Later, over several weeks in January 1982, I recorded the epic, sung by Shiban Manjhi of village Bakraur.

In the district gazetteer for Gaya, written in 1906, L. S. S. O'Malley gave what appears to be a brief summary of a tale employing the cliché of ritual pollution. The story concerns a character named "Rikhminia," also known as Rikhmun and Rikhiasan, an apical ancestor often identified with Tulsi Bir. The tale is as follows:[31]

an embankment having been breached by flood, no one was able to repair it and save the crops from destruction, until Rukhminia came with his four brothers and rebuilt it in a single night. This act gave him the name of Bhuiyā or saviour of the land – a designation which was not regarded as disparaging until a river god managed to get the Bhuiyas to eat the flesh of an unclean beast in revenge for the repair of the embankment. Thenceforth Rikhiasan and his descendants were a despised and degraded race.

Use of the same cliché can be observed in the following written account of the tradition that S. C. Roy collected about three decades later in Hazaribagh district:[32]

Rishimun (corruption of *Rishi Muni*), our tribal ancestor, was one and the same as *Tulsī Bīr* to whom worship is still offered by us Bhuiyas. *Tulsī Bīr* lived at Maner (now in Patna district). He was the youngest of seven brothers of whom Bhagwān (God) was the eldest. One day while Tulsī Bīr with his wooden sandals on, was going to bathe in the Ganges he saw a dead calf in front of the house of his brother Bhagwān. As Tulsī Bīr was the youngest of the brothers he was asked by this eldest brother Bhagwān to throw away the carcase of the calf. Tulsī Bīr at first declined to do so on the ground that it would mean ceremonial pollution, and social degradation. Whereupon Bhagwān said, "No, if you take a bath after throwing away the carcase, you will be purified, and we shall eat with you". And so Tulsī Bīr did as he was told to do. On his return after a bath he found that a plantain tree had shot up over the spot where the carcase had been thrown away. And before he could leave the spot the tree attained its full growth and bore fruit and the fruit ripened. Rikhmun ate the fruit and went back to his brothers and told them what happened. The brothers told him, "You have eaten beef. So we won't eat with you". Tulsī Bīr protested and said that he had not eaten beef. Bhagwān said, "All right; let me test you." And Bhagwān placed five fruits on his neck. And thereupon five lumps of beef came out of Tulsī Bīr's mouth. Since then nobody would eat with him... he became "Rikhmun" whereas his other brothers became higher *Muns*...

The third version is the tradition that I recorded in 1982. The following is a summary of the epic sung by a Bhuinya performer:

Once upon a time, a Bābhan came to Tulsi Bīr's house to ask him to mend a breached embankment. On being told by his mother than the Babhan had

[31] *GDG*, 93. [32] Roy, *Hill Bhuiyas*, 30–32.

been his father's malik and had raised him, Tulsi Bir consented to go.

He first went to receive blessings from different gods. First he went to Surya Bhagwan (the Sun God) who blessed him and asked him to first measure the breach and then cut a piece of earth of the same size. Surya Bhagwan told him that he would give him the power to lift the piece of earth and put it where the embankment had been breached. Then he went to Sultan Bir, the god who resides in the west. Sultan Bir also blessed him and told him that he would give him the strength to do his job. He then went to Hanuman who also blessed him.

At last, Tulsi Bir set out to seek the blessing of Ganga Maiyā (the Mother Ganges). The journey was difficult. He had to cross jungles, ditches, and mountains. He came across a demon (*daitya*) and demoness (*daityin*) who were bent on devouring him. But when Tulsi Bir threatened to come out alive from their stomachs and torment them if they did, the demon and the demoness realized that he was a great bir and asked for his forgiveness.

Soon Tulsi Bir reached the river Ganges. Ganga Maiya tried to scare him by spreading wide and making strong waves. But undaunted, Tulsi Bir plunged into the river. The goddess relented and brought him to the bank and asked what was the matter. Then she also blessed him and told him that before filling the breach he should face the east and pray. She promised to appear and stop the flow of the river while he filled the breach.

Blessed by all gods, Tulsi Bir returned home. Bramhā came to his home to tell him that the moment had arrived for Tulsi Bir to go and do what he had promised. Tulsi Bir picked up his pickaxe and set out for the site. When he reached there he saw seven lakh laborers and seven lakh elephants at work. When Bramha saw that Tulsi Bir had arrived, he asked all the laborers to cease work. Bramha and Vishnu wrote him grants of villages. The other rajas laughed at the sight but, thinking that Tulsi Bir would never be able to plug the breach, they too wrote grants of villages.

Tulsi Bir first measured a 384-step-long piece of earth. As he cut the block of earth, he remembered all the gods and goddesses. All these appeared before him and beckoned him to go ahead. He asked Ganga Maiya to stop the flow of the river. As she did that, with one swift stroke Tulsi Bir heaved the block of earth and dropped it exactly where the breach lay.

Tulsi Bir was taken by the rajas all around to survey the villages he had been granted. They secretly laughed at him. How could someone who did not have adequate clothing or shelter, cultivate lakhs of villages? Tulsi Bir went home and despaired. But his wife, with her inner power born of purity, produced lakhs of ploughs and bulls. Thousands of Bhuinya kamias milled about in a large fort which had appeared overnight. Rajputs, Babhans, and Dusādhs came bowing to Tulsi Bir hoping to become his employees.

Tulsi Bir's power made Lord Basudev jealous and he, in particular, determined to break his power. He asked Tulsi Bir to bring him meat of an animal which was neither dead nor alive. Tulsi Bir was greatly perplexed. He went back home completely despondent. When he told his wife about Basudev's demand, she told him not to worry. She sent him to a friend of

hers, a Dagarin (a woman of Chamār caste). Once again Tulsi Bir met with numerous men and beasts blocking his path. He appeased the sentries (*chaukidār, dafādār, sipahī, jamadādar, darpgā*) by giving them money; he satisfied tigers and wolves by giving them goats and sheep; he charmed and won over the demon by calling him *Mausā* (mother's sister's husband) and the demoness by calling her *Mausi* (mother's sister); and finally, he tricked his way past the python by hurling a frog to distract it. When he finally reached the Dagarin who lived in Ammāgarh town, she in turn sent him to a cowherd. When he reached the cowherd, he was told that there was a cow which had just given birth to a calf. The remaining placenta was meat which was neither from a dead nor a live animal. Tulsi Bir took the placenta and gave it to Basudev.

The gods were amazed. Basudev, seeing Tulsi Bir had accomplished an almost impossible task, decided on another ploy. He asked Lord Bramha to invite Tulsi Bir to stay for a feast. With great reluctance Tulsi Bir agreed. When he was sufficiently intoxicated, Basudev served him his food in which the placenta was concealed. As soon as Tulsi Bir took the first bite, he realized what had happened. He had become unclean. He immediately vomited the food and he uttered a curse that from now on his vomit, which had turned into banana trees, would be used in the worship of gods. Furthermore, all his caste men would cut down all peepal trees in which Basudev resided.

For the scholars of South Asia, the core plot in all three versions has a familiar ring to it. Several studies have noted that low castes and outcastes have traditions claiming that they once possessed a high status. Like other lower-caste traditions, these three versions of the pollution cliché can be interpreted as origin myths concerning ancestors with whom the Bhuinya existence as an outcaste began. Insofar as they appear as myths, a structural analysis seems to be the appropriate analytic strategy. The problem with this strategy, quite apart from the shortcomings that the theoretical critiques of structuralism have revealed, is that it does not permit the treatment of these myths as historical evidence. Furthermore, their dismissal as mere myths denies that mythic imagination can be a mode of historical representation. My purpose here, on the other hand, is to seek historical evidence by seriously considering the traditions' mode of interpreting the past.

The story embodies the Bhuinya view of history. The cause of the low ranking of the Bhuinyas is sought in an original event because recovering the origin, in this mode of interpretation, is enough to explain their history. We may not accept the causation that the story lays out for the present low status of Bhuinyas, but there can be little doubt that the theme of ritual pollution has referents both in the past

and in the present. A comparison of how the three versions employ the pollution cliché in constructing the original event, however, reveals an interesting pattern. The first version explains pollution as the result of a breakdown in the organic universe caused by Rikhmunia's meddling with the natural flow of a river. In the second, it is not the natural but the social universe of Hindu gods which provides the setting for the tale. Tulsi Bir becomes polluted only because, as a younger kin of the Hindu gods, he has to touch the dead calf. The third variant denies any kin relations and accuses the Hindu gods of deceit. Any suggestion that Tulsi Bir's pollution occurred because of his own wrongdoing or that it arose from his subordinate kin status is clearly denied. Thus, the legitimacy of the Bhuinyas' low ritual status is questioned. This no doubt reflects the fact that Bhuinyas no longer accept that their low status has a legitimate origin. The question, however, that this raises is that, since the pollution motif has a functional relationship to the present, does it have historical content?

The most compelling evidence for the relevance of the pollution motif in the past is the remarkable fact that while the three versions show varying degrees of Sanskritization, ritual pollution is the core cliché in all three versions. Thus, although the river god of the first version becomes a Hindu god (Bhagwan) in the second, and an all-embracing Hindu god divides into more specific Hindu gods in the third, the theme of pollution remains constant. It is not the agreement between the three versions on this score which constitutes evidence for the relevance of pollution in the pre-colonial society. What is more important is that pollution was considered so important in defining the Bhuinyas' position that it was made into a cliché, passed down over centuries, and used as a structuring element in constructing varying narratives. The performance of these narratives, in turn, reconstituted the Bhuinyas as ritually impure outcastes. In other words, the continuing importance of the pollution cliché in producing oral traditions suggests that the unclean rank that is ascribed to Bhuinyas today has a long history, and that it is the consequence of a long-term process. The tale of the genesis of Tulsi Bir's pollution, however, represents this long-term process as the consequence of a single episode.

The consumption of beef by Tulsi Bir is this single episode, which always appears as a tragic episode in the narrative. The figuration of the episode as a tragedy, however, depends upon a core plot. Thus, in the three versions of the pollution cliché presented here, it is Tulsi Bir's labor for the benefit of others that enables the representation of

pollution as a tragic episode. The cliché of pollution immediately brings this narrative design to the epic, as the convergence of plot structures in the three versions shows. Quite obviously, what accounts for this convergence is that all three deal with the same cliché. The variation in episodes, on the other hand, can be attributed to change over time. Equally important in explaining the variation in the episodic structure are the different ways in which oral narrators develop their tales. The difference between an ordinary storyteller and a skilled performer is that, while both may narrate the same story, an accomplished narrator enhances the effect of his performance by blending and counterposing clichés. This does not lead, however, to any contradiction between different variants. The embankment versions are only a more complex and skilled rendition of the same plot and theme.

In the tradition that S.C. Roy recorded in the 1920s, there is a straightforward narration of the plot with very little recourse to other clichés; performing labor for others, in this version, is contained in the plot structured by the pollution trope. In the other two, another core image, that of the breached embankment, is used to lend complexity and strength to the tale. Here, labor is not prefigured by the pollution trope but appears so wholly for the community's benefit that the tragedy of Tulsi Bir's pollution evokes outrage. The use of this twist in the plot in two different versions separated by almost eighty years suggests that this is also part of the remembered heritage that the narrator invokes when composing the epic. The twist given to the story by the cliché of the breached embankment is idiosyncratic only insofar as one narrator may evoke it while another may not. But insofar as the cliché is part of the transmitted tradition, it is clear that the performer's innovation is structured by the existence of plots, themes, and images considered appropriate for historical epics.

Because it provokes an outrage at Tulsi Bir's pollution, the Bhuinyas seem to have preserved and transmitted the breached embankment cliché. But the choice of the breached embankment is significant: by claiming that Tulsi Bir's labor saved and made cultivation possible, the cliché alludes to the importance of irrigation in the region's agriculture. The assertion that the Bhuinyas' labor was crucial to agricultural production is culturally structured and elaborated by a host of images and formulae that are themselves part of the oral tradition. One such image in the version that I recorded structures the opening episode of the tale, employing the clichés of the breached embankment and ritual pollution:

Who is it who comes, O mother, and disturbs my sleep
I see the hijara, now I look at the puttara
Who is it who is born a greater warrior than me
Let me see the hijara
Who is it who is born a greater warrior than me
Just tell me, O mother, who it is
I see the hijara, now I look at the puttara
Who is it who comes to my door
Let me see the hijara
Who is the *sālā*[33] who comes to my door
Let me see the hijara
What a way to talk my son
Such shocking abuse
I see the hijara, now I look at the puttara
O son, must you speak such words
Let me see the hijara
The Babhanā malik is at the door, says the mother
Let me see the hijara
You have eaten his salt
And he now asks for your favor
I see the hijara, now I look at the puttara
You were raised on his land
Let me see the hijara
It is now he who is at your door
Let me see the hijara
I fall at your feet
O son, I fold my hands
I see the hijara, now I look at the puttara
It is I who have come to your door
Let me see the hijara
Today I fall at your feet
Let me see the hijara
O father, please do not
Please do not fold your hands before me
I see the hijara, now I look at the puttara
I have eaten your salt, O Malik
Let me see the hijara
Why do you fold your hands?
Let me see the hijara
The embankment is breached
O brothers, said the Babhana
I see the hijara, now I look at the puttara
O son, the breach is three hundred and eighty four steps big

[33] The term means brother-in-law. Depending on the context, as in the present case, it can be used abusively.

Let me see the hijara
It is three hundred and eighty four steps
Let me see the hijara
Lakhs of warriors have tried
And they have all failed
I see the hijara, now I look at the puttara
O son, they have all been defeated
Let me see the hijara
That is why I have come to your door
Let me see the hijara
That is why my son
I have come to your door today
I see the hijara, now I look at the puttara
O son, just do me this favor now
Let me see the hijara
Come and seal the embankment
Let me see the hijara
Lakhs of villages will be destroyed
And lakhs of maunds of paddy ruined
I see the hijara, now I look at the puttara
There will be a famine
Let me see the hijara
And the reputation of all warriors ruined
Let me see the hijara
You have come to my door
Just for this, O Babhan?
I see the hijara, now I look at the puttara
I will do as you say
Let me see the hijara
I will do as you say
Let me see the hijara

Although the episode of the malik coming to Tulsi Bir's house and pleading with him forms part of the transmitted tradition, that by itself does not make it historical evidence. It would be totally against the Bhuinya experience to imagine that a malik would come and beg a kamia to do his daily chore. But because the Bhuinya is Tulsi Bir, such an episode becomes totally credible to them. The bir cliché structures the episodes in a way that, however unlikely they may seem from the present perspective, they appear perfectly credible to Bhuinyas. It does so by the simple expedient of creating a setting for an historical tale. For such a tale, the appropriate personages are kings and warriors. Tulsi Bir is a warrior and thus the episodes must treat him as such. While the dependence of a Bhuinya on a malik, and the fact that he can be called upon to work at any time, may be

commonplace, Tulsi Bir's case was different. The malik had to come to his door, to plead with him; Tulsi Bir's dependence was one befitting a warrior.

The episodes cited above are the narrator's elaboration of the plot structure consisting of a lord calling upon a dependent warrior to perform a task. The skeletal plot is derived from the core image of a warrior. This image seems to contain the historical memory of dependence but presents it as the subservience of a warrior to a superior lord. It takes long-standing Bhuinya participation in the construction and repair of irrigation works and turns it into one spectacular feat by their legendary ancestor, Tulsi Bir. The historical memory of the impure status that they were accorded by upper-caste Hindus is turned into a one-time pollution of Tulsi Bir. History becomes intelligible through the acts of warriors. The image of these warriors, who exercise control over people and nature in turn, is created by marshaling the sociological, the physiological, and the cosmological worlds. Once Tulsi Bir's image is thus culturally structured, it allows the Bhuinyas to remember and transmit their historical memories by giving these memories a mythic structure. So, in the case of the cliché of the breached embankment, for instance, the bir image enables the transmission of the memory of the Bhuinya role in irrigated agriculture. But it does so only by claiming that Tulsi Bir's success in sealing the breach derived from the blessing he received from the river goddess Ganga Maiya and from the other gods. Why Tulsi Bir tames strange beings, exercises temporal power, and possesses great physical prowess, thus become understandable as mythic tropes that serve as mnemonic devices. In other words, oral traditions preserve and pass down the knowledge of the past by turning, with a Midas touch, every bit of historical memory into glorious tales of birs.

The fact that these epics are performed on ritual occasions explains why the Bhuinyas use the bir core image, but the centrality of power in constructing this image is significant. The apparently fantastic powers ascribed to warriors does not necessarily mean that the bir cliché contains no element of historical truth. On the contrary, by patterning their birs as warriors the Bhuinyas point to the construction of kamia–malik relations in terms of power. By representing it not as a labor relationship but as ties of dependence between warriors of different ranks, they point towards the centrality of power construed as physical prowess, control over material resources, ritual status, and military command. This placement of kamia–malik relations in the arena of juridical power relations, defined in legal and

moral terms, is consistent with another move in the oral traditions – situating the bir image in the ideological world of caste.

Birs and caste

If the world of kings and warriors provides the appropriate stage for Tulsi Bir, the caste system gives the ideological meaning to the personages in bir epics. The transformation of the warriors in some traditions as caste birs, therefore, can be read as a compressed reflection of and reflection on the Bhuinyas' incorporation into the Hindu social organization as a part of their subordination as laborers – the intertwined construction of social relations in terms of royal and ritual power.

Because the oral traditions are usually performed at marriages when Bhuinya identity is redefined, reinterpreted, and renewed, it is not surprising that the epics often deal with marriage. And, considering the importance of the warrior image, it is also not astonishing that the core motif of marriage-by-seizure attains a prominent place in the formulation of the caste bir's image. The importance of the marriage-by-capture motif derives from the two forms of marriage that the Bhuinyas recognize, *karhui* and *charhui*. The first form comes from the verb *kārhnā* which means to pull out, to extract, and a karhui bride is one married at the groom's house. A charhui bride, on the other hand, is married in her parents' home. The term charhui comes from the root *charhnā*, meaning, to climb, or move up. In the context of marriage, the verb to climb is used in the sense of conquest. This form of marriage, although uncommon among the Bhuinyas, is valued more than the karhui form. In Pierre Bourdieu's terms, charhui is an extraordinary marriage in which the groom, by attacking the bride's home, enhances both his own and the bride's parents' prestige, and karhui is an ordinary marriage lacking the charhui form's symbolic assertion of power.[34] It is this contrast between ordinary and extraordinary marriages drawn in relation to power that lends significance to the motif of marriage by capture. Oral traditions employing this motif essentially aim to claim and elaborate the great power of their birs over birs of other castes. But it is noteworthy that in this process they also concede the power of other warriors as well. After all, a great bir only attacks those worthy of attack. The greater the prestige of the opponent, the greater the bir.

[34] For a discussion of ordinary and extraordinary marriages, see Pierre Bourdieu, *Outline of a Theory of Practice* (Cambridge, 1977), 52–58.

Because the oral traditions chronicle the greatness of the Bhuinya birs, the question of caste is also dealt with in the context of the warrior figures. Thus, even though in some versions the bride's caste is not specified, and she is represented simply as the daughter of a raja in the tales of this genre, her caste becomes identifiable through her relation to the figure of caste birs. This is certainly true in the epic dealing with the battle between Tulsi Bir and Rahu Bir, a Dusadh chief. The marriage-by-seizure cliché elaborated in this epic, presented in a summary form below, chronicles the battle that ensued between Tulsi Bir and Rahu Bir after Tulsi Bir put *sindur* (vermilion) on the Dusadh's daughter without her consent. Elaborated through a variety of episodic structures, this tale brings together the warrior and the marriage-by seizure-clichés. But this combination of the two images into a single epic depends upon the idiom of caste birs:[35]

Once upon a time, Tulsi Bir went into a deep sleep, lasting for twelve years. Before going to sleep, he left the management of his lands and kamias to his sister, Reshami. Soon after Tulsi Bir went to sleep, a son was born to his wife. To keep her brother's son and wife warm, Reshami needed to keep a stove burning with *jeera* (cumin) and *ajwain* (a variety of dill). But jeera and ajwain only grew in the kingdom of Rahu Bir, the Dusadh Bir. When she went on to his lands to get them, the Dusadh chief insulted her, and threatened to force her to marry his son. A battle ensued in which Reshami slew Rahu Bir's sons. Rahu Bir surrendered and pledged his subordination. Reshami brought his sons to life again, and left for home, laden with gifts of jeera and ajwain.

Tulsi Bir's wife was suspicious about how Reshami had managed to bring so much jeera and ajwain, and asked her to prove that she was still pure by igniting the jeera and ajwain without lighting the stove. Reshami was hurt and angry but Surya Bhagwan (the Sun god) came to her rescue and ignited the jeera and ajwain without lighting the stove. Having seen this amazing feat, Tulsi Bir's wife felt a great sense of remorse and apologized to her sister-in-law. She further asked her to make all arrangements for the newborn son's naming ceremony. Whereupon Reshami called the *gorait* (watchman), gave him fine clothes, a double-barreled gun and sent him off on a horse, followed by a Bhuinya horseman on foot, to fetch the Thakur (barber) and the Brahman for the naming ceremony. When they reached their destination, their fine clothes, the horse, and the gun led the Brahman into thinking that royal personages had come to his door. He treated them as such and even offered to get one of his servants to massage the Bhuinya horseman's legs! But all the Bhuinya wanted, befitting his status, was liquor.

[35] I recorded this tradition in February 1982. This narrative, identified by the cliché of Tulsi Bir daubing Rahu Bir's daughter's hair with vermilion, is very widely known among Bhuinyas. But its episodic structures showed a great deal of variation.

The Brahman did not give him liquor but lots of dried fruits and a hundred rupees. He then sent his men to fetch the barber. Once the barber arrived, they all set out for Tulsi Bir's kingdom. The gorait insisted that the Brahman ride on the horse but the horse threw him off his back. Eventually they reached Tulsi Bir's house where they were greeted by Reshami. After Tulsi Bir's son was named as Bir Gajādhar, the drum sounded.

At the sound of the drum, Tulsi Bir awoke after a sleep lasting for twelve years. When he saw the stacks of jeera and ajwain, he demanded to know how Reshami had got them. When he heard the whole story, he was incensed, and vowed to teach Rahu Bir a lesson. He immediately set out for Rahu Bir's kingdom at Ammagarh, where he found Rahu Bir's daughter, Kusum, tending the family's 360 pigs by the pond. When he asked her whose pigs she was looking after, she became furious and threatened to call her fierce brothers and father to teach him a lesson. Having thus been insulted, Tulsi Bir changed himself, with God's assistance, into an old hunchback, then into a leper, and later into a child, in order to tease, provoke, and trick Kusum. Finally, Tulsi Bir asked the gods to cause a storm. When Rahu Bir's daughter took shelter from the storm in the nearby hut, Tulsi Bir asked the gods to make her sleep. When she fell asleep, Tulsi Bir daubed her head with sindur. She was now Tulsi Bir's wife. Unaware of what had happened, Kusum went home when it stopped raining. But when Rahu Bir saw his daughter's hair daubed with sindur, he was furious and demanded to know whom she had married. When she told him, a battle ensued between Tulsi Bir and Rahu Bir's five sons. When the sons were quickly defeated and slain, Rahu Bir decided to fight too but eventually surrendered. He pledged allegiance to Tulsi Bir, and accepted him as his son-in-law. Tulsi Bir relented and made the five sons alive, but they immediately proceeded to poison the ceremonial food offered to Tulsi Bir during the wedding. On Kusum's request, he forgave her five brothers. Then, laden with gifts, they set out on their journey back to Tulsi Bir's kingdom. Just as Tulsi Bir mounted his horse, *bhut-mlechch* (ghost-spirits) demanded propitiation. Once they were propitiated, the spirits accompanied Tulsi Bir and Kusum safely to his kingdom. When they arrived there, Tulsi Bir's wife was distraught but Kusum won her heart by calling her *didi* (elder sister). And thus calm returned to Tulsi Bir's household.

As in other bir epics, this narrative also utilizes certain cultural forms and formulaic images in order to construct the whole story – the dutiful sister, the woman's purity put to test, the son's naming ceremony where the Brahman presides and the barber participates, the identification of horses, fine clothes, and guns with martial power, the old hunchback, the leper, and the child. But what is extraordinary about this epic is that it posits a marriage between different castes when, in fact, the Bhuinyas, like caste groups, are endogamous. They resolve this contradiction by asserting that these

marriages were never consummated. Quite clearly then, while the cliché draws its force from Bhuinya beliefs about different forms of marriage, it is used in this narrative only to claim mastery over other castes. The implication is that as Bhuinyas became part of the caste hierarchy, their bir became a caste hero whose power over other groups could be elaborated only through the idiom of caste. The cliché of marriage-by-seizure, which may have started as a way to assert Tulsi Bir's power, came to be expressed in caste terms as Bhuinyas became incorporated in the Hindu hierarchy. As Tulsi Bir became a bir of Bhuinya caste, other warriors too became caste birs, and the victory of one bir over another was perceived as the victory of one caste over another.

Why do the Bhuinyas single out the Dusadhs? Both are at the bottom of the ritual order and most Dusadhs today work as agricultural laborers. In the past they were defined as the caste of goraits (village watchmen). As people who enforced the will of landlords, the goraits were in direct contact with laborers and peasants. They were both feared and despised. In singling out the Dusadhs, the tale suggests that recurrent conflicts occurred between the Bhuinyas and Dusadhs, who, in their role as goraits, acted as the coercive arm of the landlords. It appears clearly inconceivable, however, that an ordinary Bhuinya could have triumphed over the functionaries of landlords. But since the victor happens to be Tulsi Bir, such an event is expected by Bhuinyas. Possessing fantastic powers, and blessed by gods, Tulsi Bir could do anything. The fact that these claims are made in the context of bir epics means that the fantastic can be imagined as real: even when women are subordinated as sisters, brides, and wives to men, a woman, Reshami, can still be shown to have military prowess and be victorious over men; and even while the high ritual status of a Brahman is conceded, he can nevertheless be mocked and be shown as a mere functionary in a ritual drama centered around a low caste warrior, Tulsi Bir. This is also true in another version of this epic, which speaks of Tulsi Bir's victory over a Pathan warrior named Munde Khan who guarded the kingdom of Rahu Bir. By showing the Pathan warrior in the Dusadh chief's service, Rahu Bir's prestige is enhanced which, in turn, lends greater significance to Tulsi Bir's victory over the Dusadh chief.[36] The warrior figures that thus emerge are mythic, but it is by means of such tropes that the historical is remembered, transmitted, and per-

[36] I heard this version of the narrative more commonly in the southernmost part of Gaya where the Pathans have a long history of settlements.

formed; it is by bringing every bit of the social and the cosmological world into the enactment of history that the Bhuinyas represent their past.

The written records on the pre-colonial period, on the other hand, appear only to document history: they present themselves as an unmediated and unaltered medium in which the past survives in all its originality. Despite such an appearance, written sources do not move us into the "real" history, to the infrastructure upon which the superstructure of oral traditions rests; rather, the written sources also attempt to constitute as well as reflect the pre-colonial history of south Bihar in terms of certain authoritative categories for designating the area, the people, and the events. But they do so in terms of actual place names and persons because specificity is their discursive mode. Using this specificity of written documents, the following sections will sketch those aspects of south Bihar's pre-colonial history that the oral traditions represent in a mythic mode. Such a sketch will serve two purposes: first, it will check, confirm, and illuminate the historical evidence that the oral traditions contain concerning the Bhuinya role in agricultural reclamation and their subordination as outcaste kamias in this process; second, it will help in dating the processes that the oral epics remember as a single originary event. Of course, from the reference to the Muslim hijra in the epics' refrain, it is clear that oral traditions of this genre were formulated in the period when the Muslim warriors, who came in the wake of Ghurid and Turkic invaders, became common in south Bihar. The inference, therefore, that these epics refer to processes after the thirteenth century, is, as we will see, confirmed by written records in two ways: first, by the written records on the pre-fourteenth-century period, suggesting that agricultural reclamation for irrigated paddy cultivation was not likely to have occurred in the southern part of south Bihar – the region inhabited by the Bhuinyas; and second, by records on the period since the fourteenth century, showing that agricultural expansion, and the subordination of the Bhuinyas occurred in this period.

Conquest and agricultural reclamation: c. 700–1300

To turn to the pre-fourteenth-century period, the first thing to note is the designation of the region. As the term 'south Bihar' did not exist prior to the nineteenth century, and since the name Bihar had no areal reference before the fourteenth century, Magadh was the authoritative category for speaking about the region located in the area designated as south Bihar today. Magadh's boundaries were

relatively undefined, based, as the name was, on shifting foundations. When it was first mentioned in Vedic literature, it referred to the abode of non-Aryan Magadhas.[37] Later, in the sixth century B.C., when Buddha began proselytizing, Magadh comprised an organized kingdom under Bimbisara. Subsequently, it formed the core of the Mauryan and Gupta empires.

The early prominence of Magadh no doubt derived from the control its rulers exercised over metals found in the Rajgir hills in the south Gangetic plain and in the Chota Nagpur region.[38] These metals enabled the clearing of riparian forests and the subsequent farming of fertile Gangetic land. But if its strategic location accounted for the emergence of Magadh as a center of early civilization, the exploitation of the agricultural hinterlands enabled the rulers to sustain kingdoms seeking legitimacy in their support of religious establishments. Thus, the Buddhist monasteries of Nalanda and Bodh Gaya flourished during the early medieval period (c. A.D. 600–1200) by subsisting on grants of land from the rulers;[39] the Palas of Bengal, who ruled over Magadh between the eighth and eleventh centuries, gave away lands to the monastery in Nalanda;[40] and the Pithi chiefs, who ruled over the Bodh Gaya region during the twelfth century, gave land to a Sinhalese Buddhist monk.[41] Located in a paddy-based region, religious establishments and imperial and local rulers depended upon the extraction of agricultural surplus in various forms.[42] But these agricultural regions appear to have been concen-

37 M. S. Pandey, *Historical Geography and Topography of Bihar* (Delhi, 1963), 12.

38 D. D. Kosambi has argued that Magadh's prime strength lay in its control over metals. The earliest Aryan settlement in the region, according to him, was based on metal extraction. The geological formation of the Rajgir hills in the south Gangetic plain was such that iron oxide could be scraped off the rock with hardly any mining. To the south, in the Chota Nagpur hills, lay the rich deposits of copper and iron. See D. D. Kosambi, *The Culture and Civilization of Ancient India in Historical Outline* (London, 1965), 89–90, 123.

39 I-Tsing, a Chinese traveller who visited the Nalanda monastery in Magadha during the late seventh century A.D. said that the monastery had been given over two hundred villages by kings. See *A Record of the Buddhist Religion as Practiced in India and the Malay Archipelago (A.D. 671–695)*, tr. J. Takakusu (Oxford, 1896), 65.

40 Hirananda Shastri, "The Nalanda Copper-Plate of Devapaladeva," *Epigraphica Indica* (hereafter *EI*), 17 (1923–24), 324–25.

41 According to H. Pandey, the term Pithi, which means throne, was probably used to refer to the throne on which Buddha attained Buddhahood. See his "The Janibigha Inscription," *Journal of Bihar and Orissa Research Society* (hereafter *JBORS*), 4 (1919), 277. For an example of a land grant to a Buddhist monk, see N.G. Majumdar, "Patna Museum Inscription of Jayasena," *IA*, 48 (1919), 43–48; Pandey, "Janibigha Inscription," 279–80.

42 The importance of paddy cultivation in the region is clear from the seventh-century Chinese traveller Hiuen Tsang's description. See *Si-Yu-Ki: Buddhist Records of the*

trated in the northern part of Magadh. This is evident from the location of villages mentioned in land grants. Although not all villages mentioned in inscriptions have been identified, almost all of those that have been identified by modern place names were in the region around and north of Gaya town.[43]

The concentration of land grants in the area towards the middle of the south Gangetic plain, when combined with the evidence on the immigration of warrior groups, points to the southward expansion of agriculture. As the fertile and intensively cultivated lands at the northern end of Magadh perhaps fell under the direct control of the Pala rulers and local lords who dominated the region, the area away from the southern bank of the Ganges became the focus of land grants. In this area, lands were granted according to the principle of *bhumichhidra*,[44] which meant that the grantee was given full rights over waste lands that he brought under cultivation. While the practice of bestowing grants of land indicated that some form of agriculture already existed in these areas, the term bhumichhidra connotes that the grantees were expected to contribute to agricultural extension, and must have done so. But land grants are not the only indication of the southward expansion of agriculture. The central part of Magadh probably also received immigrant clan chiefs from other parts of India. The Chikkoras of the Sindhu clan who came to rule over the Bodh Gaya region in the eleventh century, for example, were one such group. Of Kannada origin, their movement into the region seems to have been part of the movement of Brahman and other immigrant groups from other parts of India into the middle and lower Gangetic valley after the seventh century.[45]

The immigration of warrior groups, the support of religious institutions through land grants, the existence of non-Hindu Karwar

Western World: Chinese Accounts of India, tr. S. Beal (London, 1881; rpt. Calcutta, 1958), III, 320. The inscriptions mention two main forms of surplus extraction from this paddy-based agriculture, *bhāga* (a tax on produce) and *bhōga* (tribute). See D. C. Sircar, "Tarachandi Rock Inscription of Pratapadhavala V. S. 1225," *EI*, 34 (1961), 26. The Janibigha inscription also mentions plough-tax (*halakara*). See Majumdar, "Patna Museum Inscription of Jayasena," 48.

43 For a list of these villages and their probable locations, see A. K. Choudhary, *Early Medieval Village in North-Eastern India* (Calcutta, 1971), Appendix A, List No. 2.

44 Shastri, "Nalanda Copper-Plate of Devapaladeva," 325.

45 The Kannada origin of the Chikkoras is traced by D. C. Sircar in his *Some Epigraphical Records of the Medieval Period from Eastern India* (Delhi, 1979), 31. On immigration into the middle and lower Gangetic Valley, see B. P. Mazumdar, "Merchants and Landed Aristocracy in the Feudal Economy of Northern India," in *Land System and Feudalism in Ancient India*, ed. D. C. Sircar (Calcutta, 1966), 63–64.

chiefs in southwestern Bihar,[46] and imposition of agricultural taxation,[47] indicate that social stratification accompanied the southward expansion of agriculture. The nature of agricultural practices and the extent of colonization, however, are not entirely clear. But we can draw some inferences from the sketchy evidence available. Thus, with respect to the question of agricultural colonization, what renders the evidence on the concentration of land grants in the north-central part significant is the travel account of Dharmasvamin, a Tibetan Buddhist scholar who visited Bodh Gaya in A.D. 1234 Dharmasvamin found thick forests just a few miles south of Gaya town,[48] suggesting that as late as the thirteenth century agrarian settlements were sparse in the southern parts. It is possible that agriculture was practiced along the rivers and on other favored lands, but the existence of forests must have made digging irrigation channels difficult and limited in extent. Without these channels, the agricultural practices of this area could have very little in common with those of the north.[49] Although references in literary texts to water ditches, ponds, water reservoirs, and channels drawn from rivers,[50] cannot be pinned down to a specific area, for several reasons it is reasonable to assume that irrigation devices were first and more fully utilized in northern Magadh. First, being the location of towns and imperial rulers, the northern half of the south Gangetic plain would have possessed the dense population needed for intensive paddy cultivation. Second, the topography of the northern part of the south Gangetic plain, with its low watershed and gentle slopes, and its position as the nucleus of Magadhan civilization, would have made it the region where irrigation works were more extensively developed.

From the evidence on the extent of colonization and the nature of agricultural practices, two points emerge: first, that the southward

[46] A twelfth-century inscription says that Pratapadhavala was of the Khayaravala family and ruled over Japila, the northernmost part of Palamau district. See Sircar, "Tarachandi Rock Inscription," 26. The name Khayaravala occurs once again in a thirteenth-century inscription from the same region. F. Kielhorn, "Three Inscriptions of Northern India" *EI*, 4 (1896–97), 310–12.

[47] Thus, in the twelfth-century inscription, Pratapadhavala asks his descendents to collect taxes from the village for which a Brahman had obtained a grant fraudulently. Sircar, "Tarachandi Rock Inscription," 23–27.

[48] *Biography of Dharmasvamin*, tr. G. Roerich (Patna, 1959), 73.

[49] R. S. Sharma's observation that, unlike other land grants, the grants dealing with the Bodh Gaya and south Monghyr region did not mention the boundaries of lands granted, also suggests that the southern part of south Bihar was sparsely cultivated. See R. S. Sharma, *Indian Feudalism, c. 300–1200* (Calcutta, 1965), 280.

[50] Choudhary, *Early Medieval Village*, 57–58; S. P. Raychaudhuri, *Agriculture in Ancient India* (New Delhi, 1964), 21–22.

extension of agriculture in the period prior to the fourteenth century focused more on the central rather than the southern end of Magadh; and second, the existence of dense forests in the southern half precluded an irrigation-based paddy agriculture. Together, both these points suggest that the memory of agricultural reclamation and irrigation development that the Bhuinya oral epics contain does not refer to this period, because at this time the area that they traditionally inhabited – the southern half of the plain – was not subjected to conquest and colonization. We have, therefore, to look at the period after the thirteenth century to contextualize the oral epics.

Agricultural reclamation and intensification: c. 1300–1700

The Ghurid invasions and the establishment of the Turkic Sultanate at the end of the thirteenth century signaled a new wave of immigration. Rajput clan chiefs, Afghan traders and warriors, and Sufi saint-warriors, came to the south Bihar plain and furthered the process of agricultural colonization. The establishment of Mughal power in the sixteenth century and the systematic collection of land revenue by Mughal nobles acted as a further impetus to the reclamation of the southern parts of the plain for paddy cultivation. Immigrants, however, were not the only agents of change. Brahman clan chiefs appear to have been the most important group in promoting intensification of agriculture and in subordinating the inhabitants of the region into kamia–malik relations.

Pathan immigration to India, which began during the Ghurid invasions in the eleventh century, was a continuing process. Coming in search of trade and employment, Afghan contingents were recruited as mercenaries by various petty chiefs. By the fifteenth century, some mercenaries became ruling chieftains.[51] Important settlements of these Pathan chiefs in the southern outreaches of south Gangetic Bihar, particularly in towns such as Rohtas and Sherghati, at the fringes of the Gangetic plain and the southern hills, reflect their interest in trade and their military skill in rugged terrains. While trade may have been their primary interest initially, Pathan chiefs settled down as local rulers over agricultural regions. Their movement to regions toward the southern end of the south Bihar plain, however, meant that agricultural settlements already in

[51] The information on Pathan settlements and activities is based on Iqbal Hussain, "Pattern of Afghan Settlements in India in the 17th Century," in Indian History Congress, *Proceedings of the Thirty-Ninth Session, 1978* (Delhi, 1979), 327–36.

existence probably expanded, and cultivating practices intensified to accommodate demands for agricultural surplus.

The same inference can also be drawn from the activities of Sufi saint-warriors in the fourteenth and fifteenth centuries. During his travels in Patna and Gaya districts in the early nineteenth century, Francis Buchanan came across several local legends that attributed the defeat of the non-Hindu Kol chiefs to Malik Ibrahim Bayu.[52] He dismissed these as unhistorical because he did not think either Malik Ibrahim Bayu or his military feats had any basis in conventional evidence. As it happens, inscriptional evidence supports local legends. The inscriptions at Bihar Sharif reveal that Malik Ibrahim Bayu was a saint-warrior, and extol his military feats as the governor of Bihar under the Tughlaq Sultan in the fourteenth century.[53] These assertions about his military prowess are not supported with details. But popular legends in south Gangetic and highland Bihar attribute the conquest of several chiefdoms to Malik Ibrahim Bayu.[54] It appears that oral traditions have collapsed Islamic conquests that spread over centuries, undertaken by numerous warriors and chieftains, into one dramatic event, attributing them all to Malik Ibrahim Bayu, a narrative convention familiar to analysts of oral traditions.[55] These legends, therefore, can be viewed as evidence of a protracted diffusion of Islamic culture and of people from the north into areas hitherto dominated by non-Hindu lineages or tribal chiefs. This interpretation is confirmed by the fifteenth-century biography of a Sufi saint from Baghdad. Syed Muhammed Qadir arrived in south Bihar from Baghdad in 1442. According to his biography, he came to southwestern Gaya, to a place about ten miles to the east of the town of Daudnagar situated on the eastern bank of the Son, at the request of local Muslims who were being persecuted by the local Kol chief, Jiwan Kolhia.[56] With "divine help," the Kol chief's fortress

[52] Francis Buchanan, *An Account of the Districts of Bihar and Patna in 1811–12* (Patna, [1936]), I, 45, 193 (hereafter *PGR*).

[53] See the texts and discussion of inscriptions in Q. Ahmad, *Corpus of Arabic and Persian Inscriptions of Bihar* (A.H. *640–1200*) (Patna, 1973), pp. 36–40.

[54] For the existence of the legend in the Chota Nagpur region, see Dalton, *Descriptive Ethnology*, 211.

[55] For a discussion of the "telescoping" of events and persons, see David Henige, *The Chronology of Oral Tradition: Quest for a Chimera* (Oxford, 1974), 27–38.

[56] The biography of this Sufi saint was written in Persian in the mid-sixteenth century by his disciple, Ali Sher Shirazi, and exists in manuscript form. The information in this chapter is based on the summary of the manuscript published by S. H. Askari, "Contemporary Biography of a Fifteenth Century Sufi Saint of Bihar," Indian Historical Records Commission (hereafter IHRC), *Proceedings of the Meetings of the Twenty-Seventh Session*, 27 (1950), part 2, pp. 108–14.

collapsed in a heavy downpour and the chief and his family died, buried under the debris. When Jiwan Kolhia's brother, also a chieftain, attacked the saint, he too was destroyed, as was his son, with "divine help." Having destroyed these Kol chiefs, Syed Muhammed Qadir continued to preach in "wild and inaccessible" regions. Acknowledging the saint's power, a Muslim chief founded a village and a *khānqāh*, a center for religious teaching and congregation, in his honor.

The activities of Sufi warriors like Malik Ibrahim Bayu and saints like Syed Muhammed Qadri in "wild and inaccessible" tracts suggest that the southern half of the south Gangetic plain was becoming a locus for penetration from the north. But these areas were not uninhabited. The area around the Kol chief's fort, on the banks of the river, most likely contained agricultural settlements, as indicated by the presence of a Muslim population even before Syed Muhammed Qadri's arrival. This population could either have been converted inhabitants or immigrant Muslim families, who had proliferated and spread out, just as the descendants of Syed Muhammed Qadri were later to spread and settle all over south Bihar. In any case, these developments seem to have furthered the process of agricultural colonization, as the reference to the founding of a new village to support the khanqah suggests.

Immigration of Rajput clan chiefs from northern India also contributed to the process of agricultural appropriation of the south Bihar forest areas. An inscription from Umga, dated A.D. 1439, records the rule of Bhairavendra, the founder of the Umga chiefdom, the last of whose descendants was killed by an unnamed Muslim emperor.[57] Other immigrant Rajput clan chiefs, the Deo rajas, migrated into the region around Aurangabad, previously under Umga chiefs; and to the east of Gaya district, Rajput migrants from western India rose to become the rajas of Kharakpur and Gidhaur.[58] Like the Sufi saints, the movement of Rajput clans into the southern parts of south Gangetic Bihar suggests the region was being brought under the control of people from the north. Such control certainly accompanied forest clearing and the appropriation of an increasing cultivable land area to paddy agriculture in the fifteenth and sixteenth centuries.

The extension of settlements and land reclamation was not the

[57] The text and the translation of the inscription is given in Captain M. Kittoe's "Inscription at Oomga, and Notes on the Same," *JASB*, 16 (1847), 1220–28; also his "On Temples and Ruins of Oomga," *JASB*, 16 (1847), 658.

[58] *GDG*, p. 208; *SAB*, xv, 177–78.

work of Pathan, Sufi, and Rajput immigrants alone. Abdul Fazl's *Āin-I-Akbarī*, compiled towards the end of the sixteenth century, for example, lists Brahmans as landholders in most of the southern parganas.[59] Between the eleventh century, when a Brahman family was mentioned as the ruling clan in the Gaya region, and the end of the sixteenth century, Brahman ruling lineages emerged as the most important landed group in Gaya.[60]

Conquest, immigration, and the proliferation of settlers, all suggest appropriation of the territories in the southern half of south Bihar for agriculture. Although the evidence for the role of indigenous irrigation systems in this process during the medieval period are few and far between, we can interpret the fragmentary record in order to form a general impression about the nature of agricultural practices. Archaeological evidence provides one such fragment. Captain Kittoe, during his survey in the mid-nineteenth century, noted that among the ruins of a fifteenth-century chiefdom in Umga, situated in southwestern Gaya, lay a tank with a sluice gate through which water emptied into another large tank. As Umga sat at a considerable elevation, the scope for constructing channels must have been limited. It is perhaps for this reason that Captain Kittoe did not notice any channels or beds of old channels.[61] But the mention of tanks suggests the spread of paddy agriculture in these regions. A similar suggestion also emerges from the pargana list in Fazl's *Āin*, detailing the land revenue demand on different parganas.[62] This list indicates that a large part of the southern region had been cleared for agriculture by the end of the sixteenth century, but this process was nevertheless still far from complete. When Abul Fazl noted that the pargana Maher lay between Bihar and Jharkhand, he suggested that the Bodh Gaya region formed a transitional zone between the Mughal-controlled and agriculturally settled north and the thickly forested Chota Nagpur area, peopled and ruled by non-Hindu tribes.[63] Not only was the region south of Bodh Gaya outside

59 *Āin-I-Ākbari of Abul Fazl-I-Āllami*, II, tr. H. S. Jarrett, rev. and ed. by Sir Jadunath Sarkar (Calcutta, 1949), 166 (hereafter *Āin*; future references are to this volume).

60 For the early eleventh century, see Rama Chatterjee, "Members of a Medieval Brahmana Family in Gaya, and their Religious Activities," *Journal of the Asiatic Society*, 8 (1965), 7–11.

61 Kittoe, "On Temples and Ruins of Oomga," 658.

62 *Āin*, 166.

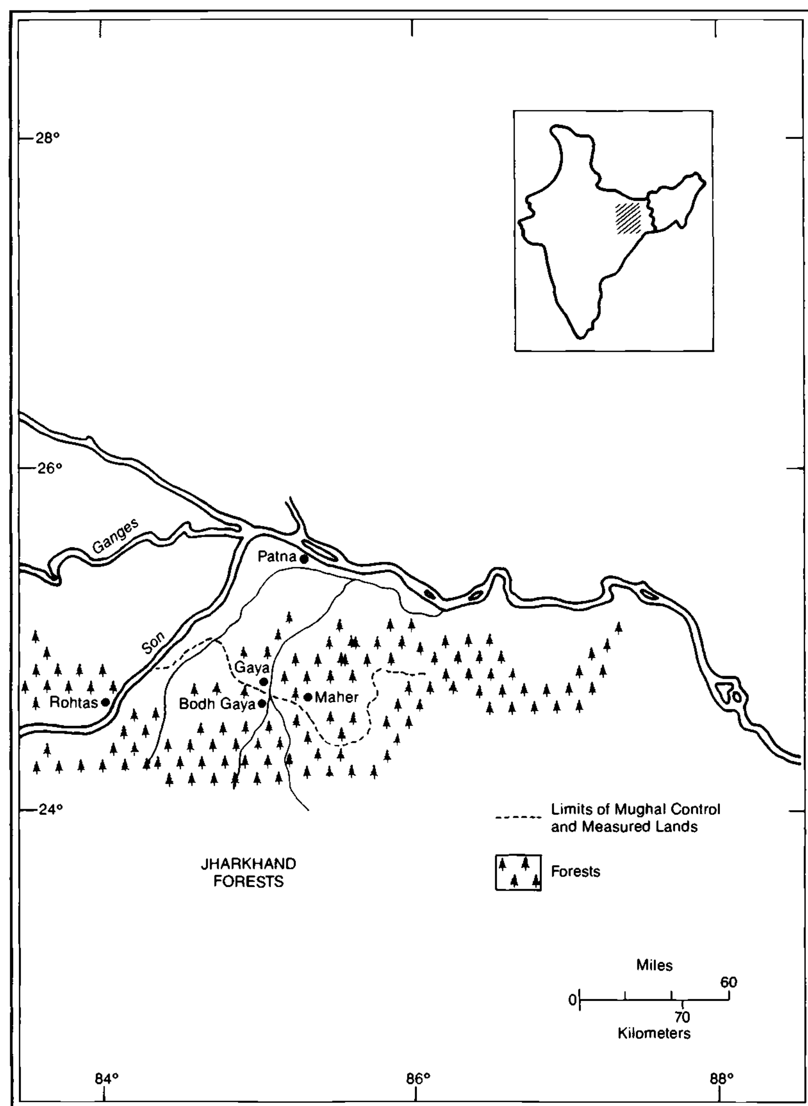
63 *The Akbarnāma of Abu-I-Fazl*, III, tr. H. Beveridge (1902–39; 2nd Indian rpt. Delhi, 1977), 189–90 (hereafter *Akbarnama*). The Maher pargana (in which Bodh Gaya was located) was the scene of Pathan rebel activity in the late sixteenth century. The Pathans took the fort and took to the jungles where initial attempts to

effective Mughal control, Irfan Habib's *An Atlas of the Mughal Empire* shows the area around Bodh Gaya and south of it covered substantially by forest even at the end of the sixteenth century.[64] Furthermore, lands south of Bodh Gaya, until that time, had not been measured to determine the land revenue demand, indicating that its agricultural production was not considered valuable enough to require land measurement. While immigration and conquest reflected growth of settled agriculture, the existence of a substantial forest cover meant that intensive paddy cultivation was of limited importance in the southern portions of south Bihar at the end of the sixteenth century. While tank-based agriculture was perhaps widely practiced in the region, the existence of forests would have restricted the development of channels. Without the tank-channel combination, paddy agriculture could not have matched the intensive paddy cultivation of the northern regions. From this point of view, the limits of Mughal control and land measurement statistics at the end of the sixteenth century probably coincided with the limits of irrigation-based agricultural practices in the southern half of south Bihar (Map 2.1).

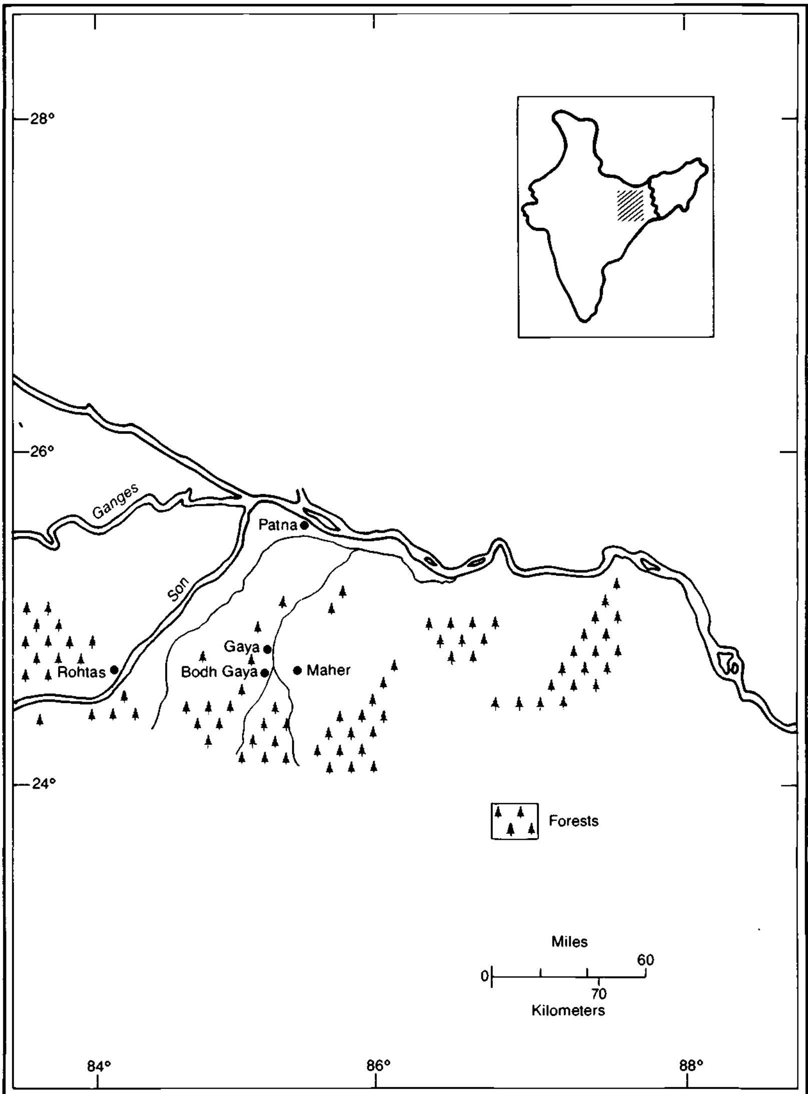
During the seventeenth century, the southern end of south Bihar witnessed a marked growth in agricultural reclamation and intensification. This is clear from the comparison of the land measurement

subdue them were fruitless. Ultimately, the army under Muzaffar Khan was sent to pursue the Pathans into the Chota Nagpur region. But after defeating the rebels, "from cautious motives the army did not judge it advisable to remain there, and victoriously returned" (pp. 190–91). This and the subsequent account of rebel activities in 1580 (pp. 472–74) show how tenuous Mughal control was in the southern part of the south Gangetic plain. Abul Fazl does not mention the names of areas south of the plain. But there are oral traditions and written records of rulers in Chota Nagpur who showed Hindu cultural influences but were never under the control of rulers of the plains. For a summary of oral traditions which trace the history of the Nagavamsi Rajas, who ruled over the Mundas of Chota Nagpur to the period even prior to Mughals, see R. D. Haldar, "An Abstract of the Annals of the Nagbansi Raj Family of Chotanagpur," *Man in India*, 8 (1928), 259–93. For written evidence on the relations between the Chota Nagpur region and the Turkish and Mughal rulers, see H. Blochmann, "Notes on Muhammadan Historians on Chutia Nagpur, Pachet, and Palamau," *JASB*, 40 (1871), 111–29. The following articles trace the process of state-formation among the non-Hindu people of the Chota Nagpur region: Surajit Sinha, "State Formation and Rajput Myth in Tribal Central India," *Man in India*, 42 (1962), 35–80; K. Suresh Singh, "State-Formation in Tribal Society: Some Preliminary Observations," *Journal of the Indian Anthropological Society*, 6 (1971), 161–81, and Romila Thapar and Majid Hayat Siddiqi, "Chota Nagpur: the Precolonial and the Colonial Situation," in *Trends in Ethnic Group Relations in Asia and Oceania* (Paris, 1979), 19–64.

64 Irfan Habib, *An Atlas of the Mughal Empire* (Delhi, 1982). See Plates 10A and 10B, and the notes on the map on p. 39 for the information put forward in this section.



Map 2.1 South Bihar in 1595



Map 2.2 South Bihar in the 1770s

statistics and revenue demand between 1594–95 and 1720. Taking the sarkar (Mughal administrative division) of Bihar as a whole, in which much of the south Gangetic plain fell, the measured area of 952,598 bighas given by the *Āin* in 1594–95 rose to 6,709,647 bighas by 1720.[65] Even if we ignore the view that the latter figures referred really to the mid-seventeenth century, after accounting for differences in bigha measurement, there is still well over a fourfold increase.[66] The increase in measured area reflected measurement of lands previously not regarded as valuable, but this shift in perception can be taken as a rough measure of the actual change in the agricultural state of areas left unmeasured at the end of the sixteenth century.

The increase in the measured area of Bihar sarkar was accompanied, but not quite matched, by a nearly threefold enhancement in revenue demand between 1594–95 and the early eighteenth century.[67] How did the increase in the measured area and land revenues come about? In the course of debates that ensued among the East India Company officials, prior to the introduction of revenue settlement in 1793, about the nature of pre-British landed institutions in Bengal, James Grant outlined one process of gradual agricultural improvement leading to the increase both of revenue and measured area during the Mughal rule.[68] Grant argued that under the Mughal revenue system, *Jagīr* land assigned to Mughal nobles, the *jāgirdārs,*

[65] *Āin*, 165. The figure for 1720 was given by an eighteenth-century manuscript, "Chahar-Gulshan" which was translated and published by Jadunath Sarkar in his *The India of Aurangzeb* (Calcutta, 1901), 134.

[66] Ahmad Raza Khan points out that although Jadunath Sarkar gave 1720 as the upper date-limit of figures given in "Chahar-Gulshan," the revenue figures contained in the manuscript were really drawn from the mid-seventeenth century. Although Khan does not say that the same was true of area figures, such a possibility cannot be ruled out. See his "Revenue Statistics of Bihar during the Mughal Period," in Indian History Congress, *Proceedings of the Fortieth Session, 1979* (Delhi, 1980), 399–407. For conversion of the land measurement unit of Akbar's period to that of Aurangzeb's period, see Irfan Habib, *The Agrarian System of Mughal India* (London, 1963), Appendix A.

[67] See Table A in Khan, "Revenue Statistics of Bihar," 401. Habib argues that much of the increase in land revenue reflects rising prices of agricultural produce caused by the influx of silver, rather than a substantial increase in the rate of land revenue demand. *Agrarian System*, 194–95, 320, 392–94. But in Bihar sarkar's case, where certain parganas had considerable room for agricultural expansion, it is most likely that the increase in revenue also reflected a higher rate, as previously marginal and unmeasured areas were developed, measured, and then more substantially taxed.

[68] James Grant, "Historical and Comparative Analysis of the Finances of Bengal," in *The Fifth Report from the Select Committee of the House of Commons on the Affairs of the East India Company* (hereafter *Fifth Report*), II, ed. W. K. Firminger (Calcutta, 1917), Appendix 4, 433–38.

showed constant improvement under the close supervision and care of jagirdars. Periodic reforms transferred improved jagir lands to the revenue category *Khālisa* lands, which paid revenue directly to the state, and were managed oppressively by tax-farmers (*āmils*). The transfer of land from jagir to khalisa categories preceded reassignment of resumed lands of equal revenue value but less acreage to jagirdars. In this way, marginal and previously uncultivated lands were developed for agriculture, then measured, and the land revenue demand increased.

The development of the marginal and wastelands under the initiative of jagirdars and local landed chiefs, called maliks, could not have occurred without the extension of irrigation. To create such facilities required forest clearing along the drainage lines of channels. By the 1770s, forest cover in the southern Gangetic plain had receded; this is obvious in a comparison of Maps 2.1 and 2.2.[69] Even in the absence of evidence recording the development of tanks and channels, it is most probable that irrigation sources provided the basis for the emergence of regional lords, such as the Tekari raja and the Mayi rulers who overran and conquered most of southern Gaya in the early eighteenth century. Pointing also to increasing agricultural penetration of the forest land, a Hindu monk came to Bodh Gaya and established a hermitage in 1590, which grew into a monastery and a large landed estate by the eighteenth century.[70] With paddy-based agriculture expanding and intensifying, "palatial towns" arose at the

[69] Map 2.2 is based on James Rennell's maps: India Office Library and Records, London (hereafter IOL), x, 595, Map 3, "A Map of South Bahar," which was published in Rennell, *A Bengal Atlas* (London, 1780); IOL, AC1, Plate 2, "A Map of southwest Bahar," drawn between 1767 and 1771. Very useful for understanding the relation between different maps drawn by Rennell and of his work in general is Andrew S. Cook's "Major Rennell and *A Bengal Atlas*," *India Office Library and Records Report for the Year 1976*, Foreign and Commonwealth Office (London, 1978), 5–42. Map 2.1 is based on Plates 10A and 10B in Habib's *Atlas*. In addition to taking information from James Rennell's maps of the 1770s, Habib's information on forests, particularly on those around Gaya, is also drawn from medieval chronicles (see p. 40). The perception of the area as forested perhaps went hand-in-hand with the lack of land measurement statistics for the region. The clearing of forests continued in the nineteenth century, as the manuscript map collection relating to south Bihar at the IOL shows. See, for instance, the mid-nineteenth-century manuscript map, entitled "Map of District of Behar," surveyed by Captain H. V. Stephen and Lieutenant W. S. Sherwill: IOL: C VIII. 10 AND VIII. 11.

[70] The details on the early history of the monastery and its acquisition of lands are given in *A Brief History of Bodh Gaya Math, District Gaya*, compiled by Rai Ram Anugrah Narayan Singh Bahadur under the orders of G. A. Grierson (Calcutta, 1893) (hereafter *HBGM*).

seats of established landed chiefs, and a number of towns based on garrisons, trade, and religious centers also developed.[71]

The above sketch of agricultural reclamation and intensification confirms and contextualizes the stories of agricultural development narrated by oral epics. Taken from independent and disparate sources, they lend credence to the breached embankment cliché, and suggest that the oral epics refer to processes that occurred after the thirteenth century. From the written records, we now have a picture of south Bihar which suggests that, after the thirteenth century, conquest, immigration, agricultural reclamation and intensification came to characterize the areas inhabited by the Bhuinyas, and dissolved the old contrast between the northern and southern south Bihar. By the seventeenth century, the south was no longer densely forested and hence sparsely cultivated; perhaps not to the same extent as the north, the south became characterized by agricultural practices associated with irrigation-based paddy cultivation. It is this increasing similarity between the north and the south painted by medieval records that was subjected to the differentiating gaze of the nineteenth-century colonial administration, and then the contrast reappeared in terms of agrarian relations and economic features. But before they could be split and differentiated by the nineteenth century, northern and southern south Bihar were brought together by the force of pre-colonial conquests, by the will and might of the Mughal potentates and local lords, and by the violence of slow and creeping appropriation of the region and its inhabitants for irrigated paddy-cultivation. The social and political processes by which the southern agriculture was made to resemble the northern part of south Bihar is the subject of the following section.

Maliks and kamias

The break-up of clans into ruling and subordinate lineages, and the division of clan territory into individual holdings, is a recurring theme in Indian history.[72] In south Bihar's medieval history, the rise of

[71] S. M. Karimi, "Late Medieval Towns of Bihar Plain," *Journal of the Bihar Research Society*, 56 (1970), 172–90. Although these towns developed all over the Bihar plain, it was in the southern part of south Bihar that a large number of them arose during this period: e.g., Imamganj, Nabinagar, Aurangabad, Daudnagar, Hisua, and Fatehpur arose in southern Gaya. On the growth of these towns see R. B. Mandal, *Introduction to Rural Settlements* (Delhi, 1979), 112.

[72] For this process in early India, see Romila Thapar, "State Formation in Early India," *International Social Science Journal*, 32 (1980), 655–69. Also relevant is her *From Lineage to State* (Delhi, 1984). For a study of clan stratification in

landed local clan chiefs was an important constituent of the social relations that structured the process of historical settlement and shaped the pattern of the Bhuinyas' subordination as kamias.

In the northern part of the plain where agricultural settlements had a long history, the break-up of clans into ruling and subordinate lineages and state formation had advanced by the end of the thirteenth century. The absence of landgrants pertaining to areas close to the southern bank of the Ganges during the early medieval period suggests that lands in this region lay under direct control of the ruling lineages. In the rise of the Pithi rulers in the twelfth century, and in the landgrants given in the middle of the north–south continuum during c. A.D. 700–1200, we can see the advancing frontier of clan stratification and state formation.[73] But, generally speaking, the area around and south of Bodh Gaya remained outside the pale until the fourteenth century. The listing of parganas in Bihar under different clans by the *Āin* indicates that clan chieftains had established control over the southern part of the south Bihar plain by the end of the sixteenth century.[74] The chronological lag between north and south in terms of the rise of clan chieftains is an important element in explaining the regional differentiation in labor practices along the north–south continuum. Before we go on to consider why exploitation of the peasantry came to characterize the north and why the kamia labor system arose in the south, we need to examine the nature of power wielded by local chiefs.

From clan stratification, ruling lineages emerged as regional chiefs, and subordinate lineages settled as landholding maliks in localities and villages. The power of ruling lineages was not eliminated by their incorporation into larger state systems. Thus, in spite of formal subordination to the king of Kanauj, Pratapadhavala, a twelfth-century Kharwar chief who ruled over the northern Palamau region,

eighteenth-century north India, see Richard Fox's *Kin, Clan, Raja, and Rule* (Berkeley and Los Angeles, 1971).

[73] The rise of landed chiefs after the eighth century A.D. is the major point in R. S. Sharma's argument, in his *Indian Feudalism*, that the early medieval society was feudal. For a recent argument on the inapplicability of the concept of feudalism to medieval India, see Harbans Mukhia, "Was there Feudalism in Indian History?" *Journal of Peasant Studies* (hereafter *JPS*), 8 (1981), 273–310.

[74] Parganas were fiscal divisions which originally represented clan territory of landed chiefs. Thus the *Āin* mentions the caste of landed chiefs in each pargana. On this point, see also Habib, *Agrarian System*, 160–62. For geographical studies of clan settlements in the middle Gangetic plain, see R. L. Singh, "Evolution of settlements in the Middle Ganga Valley," *National Geographical Journal of India* (hereafter *NGJI*), 1 (1955), part 2, 69–114, and his "Evolution of Territorial Units through Land Occupance in the Middle Ganga Valley," *NGJI*, 20 (1974), part 1, 1–19.

seems to have collected *bhāga* (a tax on the agricultural produce) and *bhōga* (tribute) from his territory. Similarly, although Bhulladeva, a fourteenth-century Chero chief from the same region, owed allegiance to the Delhi Sultan, a copper inscription says that it was he and not the Sultan who gave a landgrant to a Brahman.[75] From these examples, we can conclude that land grantees and subordinate lineage chiefs, collecting taxes and tribute from the peasantry, replicated ruling lineages at the local level on a reduced scale. With the consolidation of the Mughal rule in the sixteenth century, however, these chiefs came under pressure. The Mughals tried to restrict, control, and harness localized power for the imperial rule. A ruling class of Mughal jagirdars, with their revenue assessment and collection agency, imposed itself on maliks. While Mughal revenue demand assigned to jagirdars adversely affected exploitation of the peasantry by maliks, the power of landed maliks was not broken. Ultimately, the revenue collection depended on these local chiefs, who, being armed and linked by kinship, could easily band together to defy central authority when it appeared weak.[76] The ruins of the many medieval forts encountered by Buchanan in south Bihar, and the tales of many little-known local chiefs that he found in the early nineteenth century, bear testimony to the unbroken dominance of regional and local chiefs right through the Mughal period.[77]

Another indication of the local lords' dominance is provided by the absence of the dominant caste phenomenon in south Bihar. Historical records from the early part of this century show that the monopolization of land by numerically large dominant caste owners was of little significance in Gaya district.[78] In the absence of this feature (which usually points to the collective dominance exercised by the dominant peasant castes), local chiefs, instead of rising from the stratification within an existing peasant population, appear to have established their dominance from above. The consequent extreme social hierarchy in the dominance of the entire lower-caste peasantry by a few landlords was in sharp contrast to collective dominance exercised by numerically large dominant caste groups in other parts of north India. And significantly, within Gaya district, the

[75] D. C. Sircar, "Copper Grants from Bihar," *EI*, 35 (1963–64), 140–44.

[76] The *Ain* lists the number of cavalry and infantry troops that each pargana had, clearly showing that the local landed chiefs were armed. Abul Fazl's account of campaigns against the Pathan chiefs indicates that in areas away from the Ganges these men could and did join in defying the Mughal authority.

[77] *PGR*, I, 135–37, 162, 176, 180–81.

[78] GCRR: "Village Notes" show that all over Gaya district, peasants were of Koeri and Goala castes, dominated by a few upper-caste landlords in most villages.

dominant caste phenomenon became less significant toward the south. Thus, the caste composition given in "Village Notes" for each village in Gaya district shows that, barring the northern subdivision of Jahanabad, where Babhans appear as the dominant caste, the upper-caste population of landholders in most villages towards the south was very small. This points to a social hierarchy not only more extreme but also indicates that the lords, instead of rising from the ranks of the local inhabitants, imposed themselves through the force of conquest.

Landed chiefs imposed on the existing population by means of landgrants, immigration, and conquest, collected taxes and tribute. After the eighth century, G.K. Rai suggests, the grantees received rights to exact forced labor from the peasantry.[79] The gaom system of the nineteenth century, which required peasants to perform unpaid labor in repairing irrigation works, for example, probably had its origin in the medieval *viṣṭi* system of forced labor. In acknowledging their responsibility for maintaining irrigation works and in commandeering peasant labor for it, the landlords in the nineteenth century were perhaps following practices established centuries ago. When local chiefs got landgrants, including grants of waste lands, or when chiefs appropriated incompletely developed agricultural settlements, extraction of peasant labor for agricultural water control would have gone hand in hand with appropriation of peasant surplus produce. Thus the productive capacity of the soil was continually enhanced under the exploitative relations established between the local chiefs and peasants.

The distinctive subjugation of the settled peasantry in the north, however, differed as a social process from the subordination of non-Hindu peoples in the south, who initially practiced very little settled agriculture. In the northern part of south Bihar, a much longer history of agricultural settlement meant that settled peasant communities became ready candidates for subordination by local potentates. That this did not lead to the expropriation of peasant lands or to their employment as dependent laborers should be explained by the history of agrarian social relations. If the drive towards revenue extraction from agriculture, which became more and more systematic under the Turkic sultans and Mughals,[80]

[79] G. K. Rai, "Forced Labour in Ancient and Early Medieval India," *IHR*, 3, 1 (1976), 32–34.

[80] Irfan Habib, "Economic History of the Delhi Sultanate – An Essay in Interpretation," *IHR*, 4, 2 (1978), 295; and also his *Agrarian System*, 319–29. On peasant resistance, see pp. 330–33.

stopped short of depeasantization, the explanation probably lies in peasant resistance. Although records of peasant resistance in south Bihar do not exist, it is likely that peasant families would have resisted exploitative actions that threatened their reproduction as independent producers. In a region where agricultural settlements had a long history, peasants would have developed, long before Mughal times, a moral economy that asserted rights necessary for their reproduction as peasants. But in the south, because agricultural settlements developed later, clan chieftains from the north could subject the local population to non-peasant forms of existence. The non-Hindu local population, collectively referred to as Kol by people from the north, became subordinated as dependent laborers by chieftains. A tradition recorded in the early nineteenth century describes this process.[81]

At the beginning of the seventeenth century...a scion of one of the families of Bhojpoor Raja, whose estate lay near Rhotas [Rohtas] in Shahabad, being urged by the spirit of adventure, and probably discontented with his subdivided heritage [*sic*], proclaimed his intention of seeking lands above the Ghats or beyond the range of hills that rise on the south side of the river Soane [Son], and invited followers to join in the undertaking. Some thousands of Rajpoots collected round the standard raised by Bhugwant Roy...One encounter with the inhabitants was sufficient to insure the conquest of the country, which, containing several cultivable and some already cultivated plains between the lines of hills, became a valuable prey to a multitude in search of a vacant territory. The chief of the invaders, assuming territorial dominion, proceeded to divide the land of the Pergunnah between himself and his followers, who, increasing in numbers, as the fame of his success spread abroad, took possession of all existing villages to the exclusion of former occupants. *The revolution has been so complete, that at the present day the original and wilder inhabitants of the pergunnah are found to have no fixed interest or property in the soil, and earn a livelihood ONLY BY SLAVERY AND HIRED LABOR*. Such was the condition of this province [Palamau] when taken possession of by the [British] government, as a purchaser at auction, in the year 1814 [emphasis and capitalization original].

In the south, unlike the north, the immigrant chiefs were not faced with a substantial population of settled agriculturists. The arrival and diffusion of agricultural technology for paddy cultivation in the southern part of south Gangetic Bihar must have gone hand in hand with the recruitment of the local population as kamias.

[81] William Adam, *The Law and Custom of Slavery in British India* (Boston, 1840), 135–36. The narrative reproduced in Adam's text was taken from Augustus Prinsep's papers. See also D. R. Banaji, *Slavery in British India* (Bombay, 1933), 38.

What drove people from the north to move to the south, reclaim a difficult terrain to paddy agriculture, and subordinate the local population as kamias is not immediately clear. Part of the movement was perhaps simply a creeping advance of settled agriculture. It appears that this advance was accelerated by the systematization and intensification of revenue extraction from agriculture that gathered momentum during Mughal times. The pressure for revenue at the highest level of power could not but affect the pattern of surplus extraction at the local level. The great increase in land revenue in the seventeenth century, attributed by James Grant to improvements under jagirdars, must have been due to subjugation of the non-Hindu people in the south and the appropriation of their territory to paddy cultivation by local lords. After all, the spectacular events of conquests and rituals of power that were enacted in Delhi were built upon colonization and surplus extraction from the local population subordinated as kamias. These events find echoes in folk traditions and heroic legends.

Take, for example, the legends noted at the beginning of this century by O'Malley, according to which Bhuinyas claim to have been a great cultivating caste in the past.[82] In their oral testimonies today the belief that they cleared the land is widespread; it is very likely true and is often used to buttress their present-day struggles for land and better wages. Significantly, however, Bhuinyas do not claim to have been peasants. Oral testimonies show quite clearly, particularly in areas bordering the Chota Nagpur plateau, that individual Bhuinyas had peasant holdings. These individual instances, more common as one moves into the Chota Nagpur plateau, trigger explanatory traditions. And so, the Bhuinya peasants claim that in the past they were *be-tilaki* (without formal investiture) rajas.

Such claims to lordship coexist with the memory of having been kamias. In the narrative of the breached embankment, for example, Tulsi Bir appears as a warrior who nevertheless worked as a laborer. I have argued that the tale remembers the unequal status of Bhuinyas but that the bir cliché structures the tale to present it in one version as the subordinate position of a younger brother in a family of Hindu gods, and as the dependent position of a warrior to a superior lord in another. Because Tulsi Bir is a bir, he can also take on raja-like attributes. One of these attributes is having access to the services of kamias. And so, after Tulsi Bir was granted villages, he is also shown to possess a fort and lakhs of kamias. In another tale, when Tulsi Bir

[82] *GDG*, 94.

goes into a deep sleep lasting twelve years, his sister takes on the reins of the estate and manages his kamias. Obviously, these episodes cannot be interpreted literally to mean that Bhuinyas also had kamias. Having kamias adds to the prestige of birs, and so the narrators show Tulsi Bir possessing kamias. What is significant, however, is that the tale assumes these kamias to have been Bhuinyas so that the two terms were used interchangeably. And thus, in a scene describing thousands of *kaminian* (wives of kamias) who came in their finery to Tulsi Bir's door when a son was born to his wife, the tradition substitutes Bhuini (a Bhuinya woman) for kaminian:

Lakhs of kaminian, O brothers
Wearing colorful clothes
I see the hijara, now I look at the puttara
Arrive at Tulsi Bir's door
Let me see the hijara
O the finely dressed Bhuinin are here
Let me see the hijara

The substitution of the term Bhuinin for kaminian suggests that as a collective group the Bhuinyas were defined as kamias. There may have been individual divergences, but from the point of view of caste, the role of Bhuinyas in production was defined by their place in the ritual ranking. A raja was an upper-caste man whose prestige was measured by the number of low-caste kamias he maintained. It was the raja's duty to look after the welfare of his subjects, just as it was the duty of low castes to serve as kamias. The varna model of social relations is echoed in the following summary of a Bhuinya bir epic:

When Tulsi Bir was born there was no wood in his mother's house to burn the placenta. Tulsi Bir, even though he was just an infant, went and got the wooden lift lever from the Chauhan's field. When the Chauhan came to his field in the morning along with his kamia he found the lift lever missing. Seeing the smoke rising from Tulsi Bir's house, he went there to investigate. Finding it burnt, he started abusing Tulsi Bir's mother. Tulsi Bir asked Surya Bhagwan to give him strength equal to ten thousand elephants, and requested Sultan Bir to assist him in the battle against the Chauhan. In the battle that ensued, the Chauhan was slain and Tulsi Bir avenged the honor of his mother.

The point to note in this tale is that the description of the Chauhan, a Rajput, is completed only by assigning a kamia to him. Implicit in the Bhuinya oral tradition is the view that the kamia category existed only insofar as it related to the caste order. Secondly, it suggests that kamias were kept only by upper-caste raja-like figures. This

ideological construction of kamia–malik relations does not, however, imply that it should be contraposed to reality. Castes and rajas were real insofar as these were the historical forms in which social relations appeared. A laborer was a Bhuinya and his employer was an upper-caste raja. Landlords were maliks, nothing less; more so in the southern part of south Bihar, where inequality was even sharper. It is significant that the kamia–malik pair excludes the peasantry. Not only do Bhuinyas not remember ever having been peasants, their historical tales do not mention being kamias to peasants either. Most peasants in the southern part of south Bihar are from intermediate castes such as Goala and Koeri. While there is sufficient evidence to show that, at least since the late nineteenth century, Bhuinyas have been kamias to these peasants, their historical traditions are silent on this score. In oral testimonies, the Bhuinyas freely admit and cite numerous cases dating to the late nineteenth century which show that Koeri peasants had Bhuinyas as their kamias. But this is not the case with their structured narratives. In these, there is no mention of any kamia-holding peasant. The exclusion of such figures from these stories does not necessarily mean that kamias did not work for peasants in the pre-colonial period, but simply that historical narratives do not admit of such cases. Since oral epics are remembered and performed as history, these deal only with the kamia–malik pair. The longstanding existence of such a representation of history is revealing because it suggests that the oral traditions reflect a past wherein the kamias were socially configured in relation to the maliks: without the latter, the kamias could not be a distinguishable group for the oral traditions; so much so that the oral epics could elaborate the warrior figure of Tulsi Bir only by modeling him after the malik – as a ruler over a kingdom, enjoying domination over and extending patronage to peasants and kamias.

If oral traditions suggest that power, construed in terms of control over people, defined the kamia–malik relationship, they also indicate that the ideology of caste was an important means for configuring social groups. Thus, in the oral epics, landholders are warrior castes (Rajputs and Babhans), kamias are Bhuinyas, and goraits are Dusadhs. In place of the contemporary practice of lumping all those at the bottom as lower castes or outcastes and opposing them to those at the top, the pollution cliché indicates that the caste hierarchy enabled innumerable social distinctions. With such distinctions in operation, kamias could be distinguished from other laborers. Thus the Bhuinya, for example, who was defined as a kamia and, let us say, a Chamar, who was defined as a tanner but worked as an agricultural

laborer, could be ideologically constructed as different figures. Both would have had roughly similar material positions as laborers because the highly seasonal demand for labor in the maliks' paddy-growing estates would have tied both into relations of dependence with maliks. But the difference between the laboring castes would have rested on ideological ways in which they were distinguished and ordered.[83] And so the Bhuinya oral traditions refer to a Chamar woman by the classificatory occupation of a midwife (*dagarin*) and uses the term kaminia for Bhuinya women. From the deployment of such terms in the Bhuinya historical narratives we can infer that the past that the oral traditions reflect, and reflect on, was indelibly marked by the caste hierarchy.

Conclusion: mythic and realist histories

The Bhuinyas' warrior stories tell history in a mode that is at variance with ways of telling history familiar to us: instead of dealing with the actual events and persons, they construct enchanted figures and episodes; and rather than describing events in a matter-of-fact way, they evoke and incite imaginative flights. Now, unless we wish to privilege only a particular mode of historical narrativity, we have to recognize that in making the fantastic appear real, and in animating the historical with the mythic, the oral traditions also produce highly complex cultural reconstructions of Bhuinya history. Because the historical memory is inseparable from the form in which it appears, it is not possible, as it were, to separate the grain from the chaff. Recognizing that the clichés are culturally formulated historical memories remembered and elaborated in mythic forms through performance on ritual occasions, we have to interpret these interpretations as historical evidence. The pollution tale, for instance, contains the record of the unclean status that Bhuinyas received upon incorporation into the Hindu social system. But because in these oral traditions origin is synonymous with causation, the epics seek to explain the polluted status of the Bhuinyas by its origin. Thus what must have occurred over a long period of time is reduced to one event. Since the bir image structures that event, the memory of

83 The point made here is similar to the one made by Simon Commander on the Chamars working for centuries as agricultural laborers (and not as tanners as the occupational name suggests) in northern India. Commander writes that the Chamars' condition of laboring was "based on a prior subordination, delinked from the processes regarding the allocation of land in the nineteenth century." Commander, "The Jajmani System in North India: An Examination of its Logic and Status across Two Centuries," *MAS*, 17 (1983), 291.

encounters between Bhuinyas and Hindu lords appears as contact and confrontation between Tulsi Bir and the Hindu gods. And although the tradition acknowledges pollution, in one version Tulsi Bir, as a true warrior, nevertheless exacts revenge. Similarly, the oral record of Bhuinya participation in the agricultural reclamation and irrigation development contained in the tale of the breached embankment is made into a spectacular feat worthy of a bir. Bhuinya dependence on upper-caste lords is conceded, but is shown as befitting a warrior. The lord has to come and plead with Tulsi Bir. The definition of birs as caste warriors suggests an awareness of Bhuinya incorporation into the caste system. But because Tulsi Bir is also a warrior, the memory of conflicts with powerful figures like goraits and Pathan chiefs are turned into great victories. Where the memory is concerned with caste status, there is implicit recognition of the hierarchy. But this recognition rests on and is transmitted through a narrative structured by mythic tropes.

Because the history told by the Bhuinya oral traditions through warrior stories contains a mythic concern with origins, we cannot seek a simple confirmation of these narratives in the written sources. As written sources deal with discrete events and persons, with irreversible sequential time rather than structural time, the narratives that they make possible cannot be simple written counterparts of the oral narratives. The difference between the two arises not because one is oral and the other is written; rather, it is based on the fact that these are two different modes of historical reconstruction. As distinct exemplifications of two different modes of narrativity, one mythic and the other realist, both reflect on their contexts in their own ways. In the oral traditions' case, this reflection in its two senses means, first, documenting power, and second, representing it in a mythic mode. In the case of written sources, this double activity finds different expressions. Here, the context is documented in discrete terms, by recording particular events and persons, and reflected upon or constituted by realist forms. But because the documents deal with actual events and persons, the realist narrative constructed from them would appear to have very little to do with the clichés of the breached embankment, ritual pollution, and bir figures. If the Bhuinya oral epics celebrate Tulsi Bir's miraculous repair of the breached embankment, the written records represent land reclamation for irrigated agriculture as a long drawn-out process. In place of a history originating in a single figure – Tulsi Bir – and in a single event – repairing the embankment – the history reconstructed from the written documents, drawn from different periods and sources,

speaks of a multiplicity of figures and events. Stories constructed from these written fragments have kings, warriors, Brahmans, Rajputs, Sufis, Pathans, and their dependents as the *dramatis personae*, and the kingdom of Magadh, the sarkars and parganas of the Mughals as places where history is staged. Incorporating their historical contexts and constituting them as well in different ways, oral traditions and written documents illuminate each other as historical constructions and narrativize the pre-colonial history in terms radically different from those of the nineteenth century. From these oral traditions and written texts, the kamias in the pre-colonial period emerge not as unfree laborers of landlords but as dependent servants of dominant lords.

3
Land is to objectify

> The history of landed property, which would demonstrate the gradual transformation of the feudal landlord into the landowner, of the hereditary, semi-tributary and often unfree tenant for life into the modern farmer, and of the resident serfs, bondsmen and villeins who belonged to the property into agricultural day-labourers, would indeed be the history of the formation of modern capital.
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> Karl Marx, *Grundrisse*, 1973

During the nineteenth century, the agrarian world of warriors and dependents represented in the Bhuinya oral traditions and medieval records was fundamentally transformed. Although elements of this transformation were evident even in the eighteenth century, the colonial context of the following century provided a firm basis for significant changes in the agrarian structure of south Bihar. For one thing, south Bihar itself became visible as a region in place of the mythic warrior-fiefdoms of oral traditions and historical kingdoms of medieval texts. Historical records, too, changed in their orientation: instead of primarily chronicling the deeds of emperors and their vassals, the nineteenth-century texts documented land rights and revenue obligations, outlined administrative arrangements and political control, and monitored economic fluctuations and demographic changes. Of course, the change in the orientation of records and their systematic nature reflects the fact that the British had replaced the Mughals as rulers of the subcontinent. Constructing an empire fundamentally different from that of the Mughals, the British also came to know, administer, and control India through a different set of records. This was particularly true after the mid-nineteenth century when, discarding the earlier patchwork of East India Company servants, old Mughal officials, and local notables, the British evolved a colonial bureaucracy that faithfully collected and recorded information that the rulers required in order to rule. With such records, landed property was defined, fixed, and taxed, and courts judged on the basis of these records. As railroads connected distant regions and integrated markets, irrigation works boosted

agricultural production and consolidated landed property, social forces harnessed the rule by records to objectify land and reconstitute agrarian relations. Once such records were in command, stories change: they no longer tell tales about social ties founded on unequal ranks; differential access to land and resources no longer appear as the product of a prior asymmetry in class relations; kamia–malik relations are not represented as ties between warriors of unequal status. Now the malik, instead of being a miniature raja, becomes a mere landlord; and the kamia, rather than being his dependent subject, is portrayed as a mere landless laborer forced by his poverty to become a debt-serf. This chapter follows the story of lords becoming landlords, leaving the transformation of the kamias into bonded laborers for later. It begins by examining the nature of zamindars' and maliks' control over agrarian resources in the eighteenth century, proceeds to investigate early nineteenth-century changes in land tenure introduced by the colonial state, and concludes by analyzing efforts by rich peasants, local maliks and regional lords to refashion their positions during and after the nineteenth century. This chapter demonstrates that, between the 1850s and 1930s, land control replaced direct claims over people in determining the social relations of production. Whereas earlier, rights over land derived from relations between people, by the late nineteenth century, unequal control over land became the basis of social relations. After the mid-nineteenth century, by utilizing the opportunities created by rising prices and the incorporation of India into a world market economy, zamindars and maliks lent substance to the legal changes in land tenure introduced by the British. In this process, land was objectified, and maliks and zamindars were themselves transformed.

Eighteenth-century transformations

So long as our sights were set on the imperial political stage, the significant social and political changes during the eighteenth century were crowded out of our vision by the looming presence of aggressive and ambitious European companies and their officials, venal and weak Mughal emperors, and riotous and recalcitrant nobles and lords. Stories told about the activities of these actors could describe the century only as a period of intense confusion and complete disarray, because the previous order of the Mughal empire was in shambles and the new order of the British empire was yet to take shape. But recent historiography has rescued the time between the

decline of the Mughals in the early eighteenth century and the rise of Company rule during the latter half of the century from the "imperial historical sensibility."[1] We can now speak of the period without being overwhelmed by the fortunes of the two empires. Thus, what appeared from the imperial point of view as a time of intense confusion and complete disarray has now been shown as a period of significant structural changes. Consisting of agricultural growth in many regions, growing links between land revenue, trade, and commodity production, and the development of merchant capital, these changes were politically manifest in the emergence of "successor" states. Fashioned by imperial nobles and regional ruling groups, these states relied upon and exploited local resources to establish themselves as political entities and only paid lip service to Mughal paramountcy. But in their downward reach to the localities, the regional rulers encountered powerful rural magnates. Because many of these magnates also nursed ambitions and could mobilize resources, their cooperation had to be secured with force. This was particularly true of Bihar where, except during a brief period between the 1720s and 1750s when it was under the tight grip of the "successor" state of Bengal, ambitious magnates exploited every opportunity to escape from paying land revenue to the tax-farmers, used armed strength to resist imperial and provincial exactions, and frequently tried to extend their own influence. Often rising from the ranks of village maliks, like the Raja of Tekari in south Bihar, they seized territories, secured decrees from the imperial and provincial authorities giving them rights to collect revenue, and then turned around and resisted payment of revenues to the state unless forced. In this intense battle among different groups over political domination and economic resources, the question of political supremacy became inseparable from the resolution of social conflicts, and the control over land assumed critical importance. To understand the nature of social conflicts over land and power takes us to the story of

[1] David Ludden, *Peasant History in South India* (Princeton, 1985), xv. In addition to Ludden's work, the following studies have reshaped our knowledge of the eighteenth century, showing that it was a period of very important socio-economic and political transformations: Muzaffar Alam, *The Crisis of Empire in Mughal North India: Awadh and the Punjab, 1707–48* (Delhi, 1986); Richard Barnett, *North India Between Empires, Awadh, the Mughals and the British, 1720–1801* (Berkeley, 1980); C. A. Bayly, *Rulers, Townsmen and Bazaars: North Indian Society in the Age of British Expansion, 1770–1870* (Cambridge, 1983); Philip C. Calkins, "Formation of a Regionally Oriented Ruling Group in Bengal, 1700–1740," *Journal of Asian Studies* 29 (1970); and Bernard S. Cohn, "Political Systems in Eighteenth Century India: The Banaras Region," *Journal of the American Oriental Society*, 82, 3 (1962).

the zamindars who, as controllers of men and land, occupied the center stage of the eighteenth century.

The term zamindar emerged in the fourteenth century to characterize the group of ruling magnates at the local level absorbed into the ruling class under the Turkish Sultans. But this group was really subordinate to the imperial ruling class, consisting first of *iqtādārs* under the Turkish state and then jagirdars under the Mughal state, which appropriated much of the agricultural surplus. Zamindars therefore came to constitute the lower echelons of the ruling class. Included in this category were maliks, persons with superior rights over land. As zamindars, maliks were responsible for collecting payments of land revenue claimed by the imperial administration. In Mughal India, in areas under *zabt*, or measured lands, revenue was collected according to revenue schedules. The collection of imperial taxes on produce in a malik's domain was the defining part of a malik's function as a zamindar. By "leaning heavily on zamindars for the collection of revenue," the Mughals "reinforced their [maliks'] rights and powers which derived originally from outside the imperial system."[2]

Zamindars fell into two main categories, primary and intermediary.[3] Primary zamindars, maliks with superior proprietary rights (*milkiyat*) over a part of a village, a whole village, or several villages, held responsibility for the collection and payment of revenue only in their own domain. Intermediary zamindars, on the other hand, were responsible for revenue not only from their own territory but also from villages under other maliks. Primary zamindars could grow into intermediary zamindars through conquest and imperial favor, and intermediary zamindars could usurp the rights of maliks. The merger of two institutions in practice is also indicated by the use of the same term, zamindar, to include both classes of rights. It is important, however, to note that the responsibility to collect land revenue in itself did not confer proprietary rights. Thus, when the state dispensed with the services of primary zamindars in collecting land revenue, it granted them an allowance in recognition of their proprietary claims.[4]

2 Tapan Raychaudhuri, "The State and the Economy: the Mughal Empire," in Tapan Raychaudhuri and Irfan Habib, eds., *The Cambridge Economic History of India*, I (Cambridge, 1982), p. 177 (hereafter *CEHI*, I).

3 For a detailed discussion of the distinction between these two categories, see S. Nural Hasan, "Zamindars under the Mughals," in R. E. Frykenberg, ed., *Land Control and Social Structure in Indian History* (Madison, 1969), 17–31.

4 For a fuller discussion on maliks, see Habib, *Agrarian System*, 145–53. My discussion of the Mughal revenue system in the following paragraph draws considerably from pp. 144–96 of Habib's work.

To understand what this proprietary right meant, let us first look at the fundamental division of villages into *raiyati* (peasant-held) and zamindari in medieval India. In both of these, peasants "owned" lands that they cultivated. Irfan Habib points out that "ownership" amounted to hereditary rights of occupancy. Since land was freely available, the right of alienation, the essence of modern proprietary right, was irrelevant. "If in one sense the land belonged to the peasant, in another the peasant belonged to the land."[5] In zamindari villages, superior right holders stood between the peasant and the state. These were primary zamindars, who claimed dues over and above what peasants owed the state as land revenue. These superior rights were either imposed from above through conquest, fission of ruling clans into lineages, and royal favor, or developed from below as a consequence of internal stratification. However developed, these rights were as subject as peasant ownership was to the restraints imposed by the man–land ratio. Superior rights on land would have been meaningless without control over the people required to cultivate it. It is therefore not surprising that zamindari rights were not defined over parcels of land but over a village or villages. Land could not be the essence of superior rights over a village when it was abundant in relation to people. Thus, the peasants in zamindari villages could well have said to their zamindars what the east European peasants are said to have told their lords: "We are yours, but the land is ours." The peasants' ownership claims, however, could not eliminate the zamindar's access to their resources. Because the primary zamindars' proprietary rights over the village or villages gave them a control over the peasantry, the peasant produce became subject to their superior claims. Therefore, however restricted, zamindari rights were attractive exploitative claims that, as the pargana history shows, became embroiled in the eighteenth-century conflicts over economic resources.

Parganas were Mughal fiscal units usually comprising several hundred villages. Defined in order to fix the responsibility for the payment of land revenue, the territory under a pargana originally represented the reach of lineages belonging to a ruling zamindari clan. Thus, the *Āin* mentions castes of zamindari families ruling over different parganas.[6] Along with their castes, the *Āin* also recorded

[5] Habib, *Agrarian System*, 115.

[6] *Āin*, 166. An example of how parganas were subdivided, following the fission of clans, into smaller fiscal units is given in IOL: Bengal Board of Revenue Proceedings (hereafter BBRP), P/71/28, 26 August, 1790, enclosure to the letter from the Collector, Bhagalpur to the Board, dated August 11, 1790.

the number of cavalry and infantry forces that the zamindars of different parganas possessed, suggesting that these were intermediary zamindars, that is, primary zamindars who, through conquest and imperial assignments, had expanded beyond the territory that they commanded as maliks. The listing of such zamindars for every pargana indicates that the process of expansion also involved the extension of zamindari rights over areas that may have been raiyati earlier. Even if at the end of the sixteenth century – when the *Āin* was written – this did not necessarily mean that every village in every pargana was encompassed by zamindari rights, the substantial increase in the measured area of the southern parganas during the subsequent century not only reflects the greater reach of imperial taxation but also suggests a rapid extension of zamindari rights.[7] By 1720, hitherto undercultivated and unmeasured lands were developed and measured; their responsibility to pay the land revenue to the Mughal emperors was calculated and fixed; and the zamindars holding these parganas were charged with collecting the calculated demand. In this process, it is very likely that those villages which at the time of the *Āin*'s composition were raiyati, or controlled by non-Hindu groups, were now invaded by zamindari rights.

By the eighteenth century, the zamindars were not only engaged in extending their rights to previously raiyati or non-Hindu held areas but were also involved in armed conflicts to settle competing ambitions for zamindari property. The history of two zamindari clans – the Tekari family in central and southern Gaya, and the Mayi clan in eastern and southern Gaya – describes this process amply.

Nuraon Khan was the head of a Mayi family that came to Bihar from Punjab in the seventeenth century.[8] He was a Rajput of the Mayi clan, but even after its conversion to Islam the family retained its clan name. Nuraon Khan's two sons, Azmeri and Deyanut, entered the service of some Brahman zamindars as revenue farmers. But soon after, the brothers refused to pay the assigned revenue to

[7] It is true that the existence of unmeasured lands in Mughal parganas at the time of the *Āin*'s compilation did not necessarily mean that the tributary and rough nature of revenue demand reflected a lack of zamindari control over these lands. But the extension of the zabti system – under which lands were measured and the revenue demand was expressed in crop rates, replacing the earlier tributary form – could not have occurred unless the zamindars of parganas where these lands were situated had also extended their control. So the extension of measurement appears to be a sure indicator of the extension of zamindari rights.

[8] The following account of the Mayis and the Tekari rajas is based on *PGR*, II, 585–95 *passim*; *GDG*, 237; and BSA: Patna Commissioner's Records (herefter PCR), vol. 21 (1839), Letter dated May 1, 1839, from the Collector of Behar to the Officiating Commissioner of Revenue.

these zamindars, and managed to obtain a revenue farming contract for six parganas directly from the provincial authorities. Then, they went on to oust their former zamindar employers and dismissed those maliks who resisted their ambitions. Later, they secured a Mughal order giving them zamindari rights over the six parganas. In this manner, the opportunity provided by the state and zamindari practice to farm revenues in order to raise ready cash became the basis for accumulating wealth, for securing patronage, for building armed strength, and for acquiring zamindari rights. By the mid-eighteenth century, the family had acquired a major zamindari estate in south Bihar, largely due to the warfare waged by one of Deyanut's five sons, Kamgar Khan. "He probably would have seized on the whole southern parts of Behar, had he not been opposed by Sundar Singh of Tikari, who seized on the western parts, while Kamgar seized on the east."[9] Sundar Singh was the son of Dhir Singh, a Babhan (referred to as military Brahmans in British records) malik of Utren, a village some few miles south of Tekari. In the waning days of the Mughal empire, Sundar Singh expanded his domain in the southwestern and central parts of the district. He annexed nine parganas and obtained shares in others. Once he had established himself as a powerful zamindar, Mughal recognition was not long in coming. He was entrusted with the collection of revenue of several parganas in 1738, and was given the title of Raja by the Mughal Emperor for his assistance to the provincial governor in resisting the Marathas.

The basis of Namdar Khan's and Sundar Singh's power lay outside their official role in revenue collection. Their families had started humbly but rose through military and fiscal opportunism to become the most prominent zamindars in the area. The recognition granted by the provincial Mughal authorities would suggest their acquiescence to imperial control. But this was only partially true. Sundar Singh and Kamgar Khan frequently defied Mughal power and asserted their independence. An eighteenth-century account noted that the provincial governor used Afghan warriors to subdue "Raja Sunder Singh, zamindar of Tikaree, and Namdar Khan Mie, who depending upon their jungles and mountains had long defied the authority of nazims of Bahar."[10] The provincial authorities – nominally Mughal representatives, but effectively independent entities by the 1740s – were presented with a dilemma. The necessity

9 *PGR*, II, 585.

10 Salimullah, *Tarikh-i-Bangalah*, tr. Francis Gladwin (Calcutta, 1788), 139. Buchanan also noted that neither of these two lords "seems to have paid any revenue except when an army came to enforce the demand." *PGR*, II, 585.

to raise local resources for supporting the regional state made the provincial rulers dependent on men like Kamgar Khan and Sundar Singh while also creating opportunities for them. But the refusal of such men to pay revenue also engendered conflicts. These zamindars, on the other hand, were also in a similar situation. While seizing and extending their zamindaris, they sought the legitimacy and opportunity that imperial recognition brought. But the fact that the land revenue constituted a major part of agricultural surplus also aggravated conflicts between zamindars and Mughal provincial authorities.[11] Unless forced, zamindars in the eighteenth century simply did not part with the land revenue they collected. John Beames, in his well-known nineteenth-century article, had noted that through the entire period of Mughal rule in Bihar, "everyone who was powerful enough to rob the State or his neighbours, robbed to his heart's content."[12] Refusal to pay land revenue to the state and military attacks by one zamindar on another were established practices. Pursuing the same practices, with perhaps greater vigor and success in the eighteenth century because paddy agriculture by then had expanded to embrace previously sparsely cultivated regions, Sundar Singh and Kamgar Khan saw their zamindari power extend from the central to the farthest southern reaches of south Bihar.

The eighteenth-century expansion of zamindari control, however, did not eliminate the village maliks. Far from leveling them to the rank of peasants, invading and expanding zamindars like Kamgar Khan and Sundar Singh appear to have reconfirmed the maliks' superordinate position in the village. For instance, when Kamgar Khan extended his power in southeastern Gaya and assumed the responsibility for paying land revenue for the region, he issued a decree in 1753 confirming the rights of Hamid Khan, a malik, in village Kena in pargana Samai.[13] Although Buchanan found during his early nineteenth-century survey of the region that the Mayis "dismissed the old Zemindars and even many of the Maleks who would not support them in their violence,"[14] his statement suggests that displacement of maliks was not the norm and happened only when they refused to accept the authority of the conquering

[11] Habib, *Agrarian System*, 153, 190–96.
[12] John Beames, "On the Geography of India in the Reign of Akbar, Part II," *JASB*, 54 (1885), 165.
[13] *Parwana* dated 5th Zilhij, 1160 Fasli (February 10, 1753) issued by Kamgar Khan; a summary of its content is given in *Some Firmans, Sanads, and Parwanas (1587–1802)*, ed. K. K. Datta (Patna, 1962), 52.
[14] *PGR*, II, 585.

zamindar. It appears that, except for villages where the conquerors, their family members, and vassals supplanted old proprietors, much of the conquered region did not witness suppression of old maliks. Even when they were replaced by members of the Mayi clan and their followers, the process really amounted to a change in personnel rather than the displacement of the institution of maliks. Raja Sundar Singh's conquest also followed the same pattern. He granted parts of the conquered region to his kinsmen and vassals who supported his power but soon became entirely independent.[15] As an intermediary zamindar, Tekari's jurisdiction extended much beyond villages it held as a malik or primary zamindar. Tekari's zamindari comprised numerous maliks whose rights, Sir John Shore remarked in the eighteenth century, were "as fixed as indefeasible" as its own.[16] Shore argued that, with respect to the territory of other maliks, the Tekari zamindar's position was analogous to that of tax-farmers. Of course, the conquest of territories and the assumption of the right to collect land revenue were not without their benefits. In addition to the benefit that accrued from suppressing old maliks in some places and from assuming zamindari rights in villages that had been raiyati earlier, they would have also received a small share of the collected revenue. But none of these necessarily signaled the demise of the institution of maliks.

The maliks' resilience was not inconsequential. Acting against attempts to transform land tenures into objects, it helped sustain land rights as indicators of social gradations upon which access to resources was based. As a result, the hierarchy of rights based upon social differentiation was preserved not only when the intermediary zamindars expanded their territories but was also maintained when the state reached downward. In the Mughal revenue system, the state's attempt to reach down to the village level was represented in its close control of revenue assessment. When the state fixed this assessment directly, as it did in the zabti provinces where, as in Bihar, the assessment was based on a crop rate calculated according to the measurement of lands, the zamindars responsible for revenue collection levied a separate cess for themselves. But if the state's share appropriated the entire peasant surplus or if it collected revenue directly from the peasants, the zamindars were given an allowance from the collected revenue. Or, when the maliks' role in

[15] *PGR*, II, 595.
[16] "Minute of Mr Shore, on the Permanent Settlement of Lands in Bengal," in *Fifth Report*, II, Appendix, 5, 479.

land revenue collection was taken over by another zamindar, they were granted their superior rights, as the above cited examples of Tekari and the Mayis show. Called *mālikānā*, this recognition of the maliks' superior rights compensated them for their loss of income when they were eliminated from the business of land-revenue collection.

The assignment of maliks' villages as revenue-free grants also gave due recognition to the position of these village lords. Thus, when zamindars like the Tekari gave away revenue-free grants known as *madad-i máāsh*, *khairāt*, or *sheoprit* – terms commonly employed in making revenue-free grants of land to religious persons – these do not seem to have eclipsed the position of village maliks. This is evident from the early history of the Bodh Gaya monastery. A major landed institution since the late eighteenth century, this Hindu monastery was founded in 1590. Beginning with a grant of two revenue-free villages near Bodh Gaya in the early eighteenth century – confirmed by a royal decree and honored by the Tekari zamindars in the 1730s – the monastery, through its disciples spread over the southern part of Gaya district, gained a number of villages revenue-free, and became a major landholding body in the district.[17] The land revenue records do not document the monks as maliks but simply as recipients of revenue-free villages. This suggests that when confronted with maliks, the monastery could not, even if it wished to, convert its revenue-free grants into proprietary rights over the village.

A clear picture of the maliks' resilience and their rights emerges from a nineteenth-century report. Written in 1839, it dealt with malikana rights on estates where revenue-free holders differed from maliks. The report noted that maliks received 10 percent of the village produce in money or kind after deducting village expenses (repairing embankments and peasants' houses, and payment to village servants), together with a fourth of the *sā'ir* (miscellaneous taxes), and one-fourth of two to three annas per bigha (one-third of an acre) paid by the peasant on all cultivated lands.[18] Another option, widely

[17] These firmans and their subsequent written confirmations by zamindars are reproduced in *HBGM*, 4–6, and a list of such grants is contained in BSA: PCR, vol. 15 (1834–36), letter from the Deputy Collector, dated May 21, 1834, to the Commissioner.

[18] BSA: PCR, vol. 21 (1839), letter from the Officiating Superintendent of Khas Mahals, dated January 10, 1839, to the Officiating Commissioner of Revenue, Patna Division; also IOL: Home Miscellaneous Series (hereafter HMS), H/387/13, "Abstract of the Accounts relative to the Soubah of Behar prepared and delivered by the Canongoes of the several Pergunnahs Fussilli 1180. AD 1773."

exercised in Gaya, was that the maliks held a portion of the village land (10 or 20 out of every 100 bighas, but sometimes one-fourth of the total land) revenue-free or at a lower rate. While these exactions gave maliks a part of the peasant surplus, the inclusion of the cost of maintaining village servants and repairing peasant houses in calculating malikana made them more than simply rent-receiving landlords. By giving up their share in the produce spent on village needs, the maliks shared the responsibility for assisting agricultural production and for ensuring the general well-being of the village residents. Of course, the resources required for the village expenses, in fact, came out of the peasant produce. But by treating that part of the produce as a common production cost, the maliks simultaneously asserted and then relinquished their claim to a share. Becoming involved in the reproduction of the village productive apparatus as a whole, the maliks operated as village patrons, overseeing reproduction of the entire production unit, land and its people.

The respect shown for the maliks' position, evident in the above examples, recognized their local influence and preserved their private property. This property consisted of the right to levy tax on village residents of their milkiyat.[19] The payment of this tax, even when the task of revenue collection was entrusted with the zamindars or other agencies, clearly indicates that their proprietary rights rested on claims other than their role in the imperial or provincial revenue system. According to John Shore, the maliks considered themselves "Proprietors only of tythe."[20] But it would be a mistake to conclude from this that their claim to a share of the peasant produce arose from an exclusive landed private property. Land was encumbered with a variety of claims. Peasants' right of occupancy, maliks' malikana, and the revenue-free holder's claim on its produce in the form of land revenue coexisted with each other and constituted a complex grid of hierarchical land rights and social obligations.

The hierarchical basis of rural society and power was manifest in village transactions, evident in the history of the region, and expressed by the complex gradation of rights and obligations. Peasants acknowledged the maliks' "superiority in the feudal sense" by offering annual presents.[21] The maliks asserted their superiority by acting as village patrons responsible for providing irrigation and a pool of labor, and by holding, in addition to their malikana

[19] Irfan Habib suggests the possibility that milkiyat was a saleable right. See his "Agrarian Economy," in *CEHI*, I, 58–59.

[20] Shore's Minute, *Fifth Report*, II, 479.

[21] *PGR*, II, 564.

perquisites, lands at favourable rates. This superiority was acquired in the course of warfare and conquest of the region and its people. Buchanan pointed out that most maliks in Gaya were "Military Brahmans [Babhans], and appear to have been proprietors of land before the Muhammedan conquest, that is to say, held them by military tenure from Hindu Kings."[22] The dominance of the Babhan maliks was broken in a number of parganas by subsequent immigrants. In Incha and Goh parganas, for instance, the Pathan maliks combined milkiyat with revenue-assignments that they received in the early eighteenth century.[23] But these assignments – given so that the jagirdars could use the assigned revenue to maintain military force which the Mughal emperor could requisition – conferred rights that were clearly distinguished from those that these jagirdars held as maliks. Whereas the jagirdari tenure gave them the village produce that the state claimed as land revenue, their rights as maliks gave them permanent "proprietary" claims over the village produce. Exerting control over and exacting resources from the peasants who, as cultivators and occupiers, "owned" the land, the maliks enjoyed these permanent rights even when surrounded by revenue-free holders, jagirdars, zamindars, and tax-farmers. The coexistence of maliks' rights with a multiplicity of other graded claims on land and its produce rested on the social hierarchy governing the access to resources. The jagirdars, zamindars, revenue-free holders, and tax-farmers owed their places in the hierarchy to the functions they performed in the imperial and regional political, economic, and cultural designs. Maliks and peasants, on the other hand, had more locally derived positions in the hierarchy. Of course, there was considerable interpenetration of local, regional, and imperial levels, as the case of Tekari's rise from a malik to zamindar and the example of the Pathan jagirdars' enjoyment of malikana rights demonstrates. But such interpenetrations did not erase the lines separating one right from another, suggesting that graded rights rather than exclusive land control characterized the agrarian structure even during the eighteenth century, when men like Sundar Singh and Kamgar Khan used every opportunity to expand their domains.

When viewed in the light of the conventional depiction of eighteenth-century India as a period of upheavals and chaos, the continued existence of a grid of hierarchical rights appears to

22 By "military tenure" Buchanan was probably referring to the lord–vassal relationship between maliks and regional lords.

23 BSA: PCR, vol. 4 (1816), letter from the Acting Collector of Behar dated March 15, 1815, to the Board of Revenue.

highlight the strength of "traditional" forces. But the picture of a solid social structure successfully weathering the eighteenth-century storm is an inappropriate one. The century was not all chaos and social relations were not static. The dramatic events surrounding social and political conflicts, zamindari conquest and expansion, and extensive tax-farming did not simply amount to breakdown and disorder but indicated subtle changes in agrarian relations. Foremost among these was a marked tendency towards a reification of land tenures. Although the establishment of exclusive landed property was still several decades away, by the mid-eighteenth century several processes exemplified the tendency towards objectification. The superior rights that the maliks enjoyed owing to their position as village patrons became subject to outside penetration; tenureholders attempted to convert their assignments into titles over land; and men like Sundar Singh and Kamgar Khan, assigned to collect a fixed land revenue according to a schedule and in lieu of a commission, went about using their position as revenue collectors to amass wealth.

Although spotty evidence makes it difficult to measure the extent of attempts to reify land tenures, there are enough examples to establish that such a tendency existed. Take, for instance, the question of maliks' rights. The previous marshaling of evidence on this issue indicates that when ambitious zamindars expanded their territories during the first half of the eighteenth century they generally left the maliks alone. This was, for example, true of Sundar Singh's and Kamgar Khan's conquests in Gaya. The same evidence, however, also points out that in a number of places these zamindars either installed themselves or their relatives and vassals as maliks. The inference we can draw from the data, reporting the continued existence of maliks in most cases and their displacement in the rest, is that the institution of maliks was too deep-rooted for complete elimination. So much so that even the invading power acquired an exploitative claim to village produce by assuming the malik's right. Thus, far from excluding those outside the "village community," the institution of maliks was stretched in the eighteenth century to include outside forces, establishing what Frank Perlin calls "extended class relations."[24] The account of the Ujjainiyas in Shahabad and Palamau is emblematic of this process.[25] Starting out as maliks, the

[24] Frank Perlin, "Of White Whale and Countrymen in the Eighteenth Century Maratha Deccan: Extended Class Relations, Rights, and the Problem of Rural Autonomy Under the Old Regime," *JPS*, 5, 2 (1978), 172–237.

[25] Nurul S. Hasan, *Thoughts on Agrarian Relations in Mughal India* (Delhi, 1973), 35–37.

Ujjainiyas became zamindars over a large region and came into conflict with the imperial government when they began acting as independent chieftains. The Mughal government crushed their ambitions for independence but confirmed them as zamindars responsible for revenue collection. As revenue zamindars, they kept increasing their actual collections but paid a constant amount to the imperial exchequer and eventually even installed themselves as village maliks, reducing the original maliks to the status of tenant-farmers.

Somewhat different than the Ujjainiyas's case but exemplifying the same process of establishing "extended class relations" is provided by a more detailed record.[26] This case entered British records in 1793 when Raja Mitrajit Singh of Tekari claimed malikana over Morarpur village in Gaya, and produced a decree, dated 1739, from Ali Vardi Khan confirming his zamindari and malikana rights in a number of villages in nine parganas. Morarpur was also claimed by Gopal Das, a native of the neighboring Orissa province, who asserted that he had cleared the land, dug wells, and provided other facilities for agricultural operations. Upon inquiries, the district officials discovered that, while Gopal Das's assertion was true for the twenty years preceding 1793, the previous history of the village supported Tekari's claims. This history revealed that four Pathan brothers had held the village as their milkiyat at the end of the seventeenth century. Subsequently, they mortgaged their rights to another Pathan, Sher Khan Tutawi, who continued in possession of this village until 1728. In 1729, Tribhuwan Singh – an ancestor of Raja Mitrajit Singh – acquired the zamindari of pargana Gaya and assumed the malikana rights over Morarpur. The revenue officials were not certain if he had bought, leased, or mortgaged the property, but they could establish the fact that the Tekari family had retained their milkiyat until 1771. Several points emerge from this recorded dispute. First, it reveals that the exchange of malikana rights occurred well before the 1730s when the conquering zamindars began to extend their control. Second, it suggests that the superior rights that the maliks obtained from their additional status as local lords were becoming reified; outside forces penetrated village rights in order to possess this object, giving them a permanent exploitative claim. Provincial rulers acquiesced in this reification of milkiyats, as Ali Vardi Khan's decree recognizing Tekari's zamindari and malika-

[26] BSA: PCR vol. 4 (1816), letter from the Collector of Gaya to the Board of Revenue, dated 29 April, 1793, and enclosures.

na rights shows, so long as the state land revenue demand was not in jeopardy. Finally, this dispute demonstrates that even as zamindars clearly recognized the separation of different tenures, they could turn the strength of the hierarchical grid of rights to their own advantage and seize those that gave them proprietary claims over the village produce. Thus, it was not by holding the revenue-collecting right alone but by combining it with the possession of milkiyat that the Tekari lords gained a permanent exploitative access to the village resources.

What must be remembered is that the penetration of village rights occurred in a context of agricultural growth reflected in the dramatic rise in the state land-revenue demand since the end of the sixteenth century. By the 1730s, the land-revenue demand of the south Bihar parganas exceeded the 1594–95 figures, as noted earlier, by more than 200 percent.[27] From extant evidence we cannot measure the extent of real increase in revenues because the seventeenth-century influx of silver and the tendency of rulers to inflate the value of revenue assignments to please the nobles, whose ranks were indicated by the paper value of their jagirs, tended to swell the revenue demand unrealistically. As a consequence of inflated paper values, the Mughal revenue system fully recognized the difference between the revenue demand and the actual collection.[28] But available figures recording the dramatic increase in measured areas strongly suggest that the rising import of silver, raising prices, and inflating revenue demand could not have been the sole cause for the enhancement in state revenue; in south Bihar, where a large scope for the extension of paddy agriculture existed, it is very likely that the rise in revenues also reflected a real agricultural growth.[29] It was this agricultural growth and the accompanying rise in revenues that could support the emergence of provincial "successor" states in the eighteenth century.

[27] Different sources give varying figures because they relate to different years. But all of them confirm that revenue demand rose dramatically after the seventeenth century. See Habib, *Agrarian System*, 401–02; Ahmad Raza Khan, "Revenue Statistics of Bihar," 401: Sarkar, *Aurangzeb*, li; and Edward Thomas, *The Revenue Resources of the Mughal Empire in India* (London, 1871), 52–53.

[28] Grant, *Fifth Report*, II, 438. Cf. Alam, *Crisis of Empire* 24–25, and Habib, *Agrarian System*, 261–67. Although revenue demand was inflated and did not reflect actual collections, Alam argues that the increase in revenue figures seems to have also reflected a real agricultural growth in Awadh and Punjab: Alam, *Crisis of Empire*, 304.

[29] The measured area for sarkar Bihar rose from 952,598 bighas in 1594–95 to 6,709,647 bighas in 1720. Sarkar, *Aurangzeb*, l. Obviously, the extension of cultivation alone cannot account for such a massive increase in the measured area. But because the Mughal political control of Bihar suba did not witness a massive expansion after the end of the sixteenth century, it is equally obvious that the

Thus, in 1750 (between the late 1720s and the Company takeover in 1764, when Bihar became an appendage of Bengal) the revenue demand, already raised in 1685, was increased further.[30] But when faced with turbulent zamindars strengthened by the rise in agricultural resources, the provincial rulers employed force; and to facilitate the flow of cash and the collection of revenue, they farmed revenues, giving merchants and bankers important roles in providing loans to rulers and securities to tax farmers.[31]

The drive to corner agricultural surplus in the form of land revenue and zamindari rights had important social consequences. Because the state demand tended to appropriate the overwhelming part of the peasant surplus, its impact on the maliks was particularly severe in a province like Bihar, where the operation of zabti subjected the peasant surplus to close scrutiny and appropriation. Aided by state officials called *qānungo*s (accountants), who kept a close watch on zamindari accounts, the state could ensure that it got its share when agricultural resources rose. Thus, even as the state and bigger zamindars recognized the superior position of maliks and allowed them their malikana, it is doubtful that these local lords benefited significantly from agricultural expansion and intensification. Denied a major share in the peasant produce by more than a century of efficient Mughal land-revenue appropriation, they were surrounded in the eighteenth century by ambitious zamindars like Tekari and the Mayis, and forced down by a state that during the 1720s to 1750s exacted its share ruthlessly. Their only privileged asset was their superior position in the village. Their sorry state was evident to the British who noted that, in comparison to the Bengal zamindars, an overwhelming part of the Bihari zamindars were small and subordinate privilege-holders who lived modestly.[32] But the lifestyle of men like the Raja of Tekari and Kamgar Khan was a different story. With widespread territorial control and authority to collect land revenue,

extending arm of state taxation alone also cannot be the sole explanation. Thus, while it is difficult to measure the extent of agricultural growth, there is little doubt that it must have been significant. Cf. "Revenue Statistics of Bihar."

[30] Grant, *Fifth Report*, II, 437–41.

[31] For examples of the use of military force and the recourse to tax-farming in different parganas, see IOL: HMS, H/387/13, "Substance of a Persian Memorandum received from a Native of the Soubah Behar," enclosed in a letter from John Murray, dated 8 August, 1790. That, in some cases, merchants took on the roles of tax-farmers and provided securities for zamindars is suggested by a document from 1719 referring to the activities of a merchant named Dailram [*sic*]. See C. R. Wilson, *The Early Annals of the English in Bengal: Being the Bengal Public Consultations for the First Half of the Eighteenth Century*, III: 1718–1722 (Calcutta, 1971), 181.

[32] Shore, "Minute", *Fifth Report*, II, 478–79; *PGR*, II, 563–64.

these men acquired and controlled vast resources. To what extent their control of agrarian resources connected them to the commercial world it is difficult to say without detailed evidence. But in view of the extent of their territorial control, the monetized nature of the revenue system, and the great distances from the rustic countryside that the assignees of revenue (the jagirdars) from these lands lived, it seems most unlikely that such eighteenth-century men could have succeeded in their enterprise without close connections with mercantile capital. The existence of mercantile connections does not, however, mean that urban capital was invested in agricultural production. All it appears to have done is to support and service the activities of warrior entrepreneurs who turned the business of revenue collection into instruments of securing proprietary rights in the village. But in turning zamindari into milkiyats, warriors such as the Tekari and the Mayis in Gaya and the Ujjainiyas in Shahabad supplanted the village lords and installed their relatives and vassals as maliks. And nursing ambitions of independence, they gave away revenue-free grants to religious men, and played hide and seek with the provincial authority. Between the late 1720s and 1750s, the state employed force and conciliation to secure their cooperation. But the zamindars' interests ran counter to those of the provincial rulers. Therefore, the zamindars were willing to use their armed strength against the state, and aid the East India Company when it confronted the Mughal and Bengal authorities. When combined with intrigues at the provincial level, the opposition to the "successor" state in the localities facilitated the East India Company's takeover of Bihar.[33] In this way, the social conflict between the state and the zamindars became tied with the contest over political supremacy.

Land tenure and landed property

The maliks' position, already under pressure during the Mughal period, witnessed a fundamental transformation under colonial rule.

[33] Thus, the Tekari Raja and the Ujjainiyas opposed Mir Kasim when he fought the English. And even Kamgar Khan, while pretending to support Shah Alam, offered him very little real support and saved the lives of those Europeans that Mir Kasim wanted killed. *PGR*, II, 585–86. For further details on the opposition of these warriors to the provincial rulers, see Syed Gholam Hossein Khan, *Seir Mutaqherin or View of Modern Times*, tr. M. Raymond (Calcutta, 1789; rpt. 1902). Referring to the support received in the localities, Thomas Law, the Collector of Gaya in the 1780s, said "on the invasion of the country by a foreign government, the Farmers [revenue farmers] withhold their revenue, and often clandestinely assist the invader. It was thus, for example, they joined the Company's troops, & facilitated the acquisition of their present Empire in Bahar." Cited in IOL: HMS, H/382/4, "State of Behar."

This was the consequence of a shift in the basis of rural power from control of people to control of land. But this shift did not occur all at once. Indeed, even before the Company's assumption of political supremacy in 1764, changes in this direction were already in place. The reification of land rights evident in the long-established practice of transfer of milkiyats; the gathering pace of the intermediary zamindars' penetration of village rights in the eighteenth century; pressures from above on the maliks – all these expressed the challenge to the practice of "land is to rule" thrown by attempts to establish that "land is to own." Even though ownership of rights was already in existence by the eighteenth century, this ownership coexisted with a host of other graded claims on land, setting rights empowered by the social hierarchy in conflict with exclusive property rights. The colonial period was to witness the resolution of this conflict in favor of exclusive land ownership. British revenue settlements combined with economic changes and social struggles to produce this transformation. Spanning much of the nineteenth century, but particularly the latter half, this protracted process of change transformed the zamindars, although their fortunes witnessed ups and downs, and different sections of this class fared unequally.

Having acquired the revenues of Bihar in 1757 and consolidated its hold following the battle of Buxar in 1764, as an eighteenth-century mercantile power anxious to find profits to finance war and trade, the Company pursued its predatory aim of maximizing land-revenue collection. After failing to do so with the cooperation of zamindars, the Company employed tax-farmers in the 1770s to collect land revenue based, district officials reported, on overassessment of lands. Perhaps compounded by the famine of 1769–70, the tax-farming of overassessed estates turned large tracts of cultivated area into wasteland and hit the zamindars hard.[34] The Raja of Tekari, a young boy at the time, was saddled with debts arising from reportedly fraudulent accounting by tax-farmers; and Akbar Ali Khan, the descendent of Kamgar Khan, fell into arrears and was imprisoned.[35] Some zamindars who had taken farming leases also fell into arrears and were forced to mortgage and surrender their malikana villages; and in other cases the zamindars had to give their villages as security to bankers.[36]

[34] For a report on overassessment and the consequent disruption of cultivation, see IOL: BBRP, P/70/7, 3 October, 1972, letter from the Collector of Behar dated 2 July, 1972

[35] *PGR*, II, 594–95; *GSR*, 20.

[36] IOL: Bengal Revenue Consultations (hereafter BRC), P/51/29, 17 December, 1788, enclosures to the letter from the Collector of Behar, dated 30 April, 1788. Also BRC, P/51/146, 18 September, 1789, letter from the Acting Collector of Bhagalpur, dated 30 June, 1789.

These cases of acute distress and persistent arrears of revenue convinced the Company that the dependence on tax-farmers had been disastrous: "These people collected rents at the point of sepoys' bayonets, wrangled with local zamindars on the one hand and oppressed the raiyats on the other, while they invariably swindled the government of its revenue."[37]

If for no other reason than securing a steady income, the Company needed to undertake a major overhaul of its land revenue policies. But as it happened, the immediate concern for revenue could not be separated from the more remote issues of agricultural productivity and land tenure. Therefore, invoking European economic doctrines and recalling the experience of improving English landlords, a new arrangement was worked out for collecting revenue, settling the land tenure issue, and for promoting agricultural production.[38] Called Permanent Settlement, this arrangement was initially introduced in 1789 for a period of ten years but declared permanent in 1793. By this measure, land became the private property of zamindars so long as they paid revenue fixed in perpetuity. It was hoped that giving zamindars secure and exclusive private property and fixing the revenue permanently would promote better land utilization, foster agricultural growth, replace inefficient owners with efficient landlords, and develop and stimulate commerce. The consequent agricultural and commercial prosperity would yield greater taxes and thereby compensate the government for what it lost by fixing the assessment in perpetuity.

The actual experience turned out to be quite different. Zamindars seldom became efficient agrarian capitalists, and the hoped-for scenario of rapid agricultural and commercial growth and prosperity never materialized. Consequently, the British abandoned this experiment during the subsequent land-revenue settlements in other parts of the country. Later, nationalist historians termed it an unmitigated disaster for the zamindars who, in this view, were replaced by urban mercantile capital, completing the ruralization of the economy. It is now generally acknowledged, and recent work has shown, that the nationalist picture was considerably overdrawn.[39] Urban capital did

37 Reginald Hand, *Early British Administration of Bihar, 1781–85* (Calcutta, 1894), 31–32.

38 See Ranajit Guha, ed., *A. Rule of Property for Bengal: An Essay on the Idea of Permanent Settlement* (Paris, 1963), for an excellent description of the Permanent Settlement's theoretical premises.

39 For the nationalist view, see N.K. Sinha's *Economic History of Bengal*, II (Calcutta, 1962). For revisionist histories, see B. B. Chaudhuri, "Land Market in Eastern

not invade landed property massively, and the zamindars did not get wiped out completely. Furthermore, it is difficult to make the Permanent Settlement bear the sole responsibility for colonial underdevelopment. In fact, its most important and demonstrable consequence was in the realm of property relations. Its treatment of zamindari property as the foundation underlying agrarian relations subordinated all rights in land to the originary claim of ownership, and provided an authoritative legal basis for the development of exclusive landed property.

The period immediately following the introduction of the Permanent Settlement, however, gave few clues to what was to happen later. Instead of developing a secure zamindari property, the initial years witnessed extensive sales of zamindari rights.[40] The failure to pay the government demand, inviting auctions of zamindaris, sparked the later nationalist criticism that the revenue demand was pitched too high. But overassessment was not the only reason. The social order represented by the zamindars and the economic climate prevalent at the time are equally pertinent in explaining the initial difficulty experienced by zamindars in paying land revenue. What makes them particularly relevant is the fact that British land revenue was invariable; unlike the Mughal system, it was a true land tax and not a share of produce. Zamindars were probably slow to adjust to the new rigidity in revenue demand because, contrary to British expectations, they were not entrepreneurs given to maximizing their income. As figures of authority and leadership, they were reluctant to convert land ownership into a sharp entrepreneurial wedge to cut through the complex welter of hierarchical rights and obligations.[41] Satisfying the government demand was made even more difficult by the decline in prices in the decade following the introduction of

India, 1793–1940," parts I and II, *IESHR*, 12, 1 (1975), 1–42, and 12, 2 (1975), 133–67; and Ratnalekha Ray, *Change in Bengal Agrarian Society c. 1760–1850* (Delhi, 1979).

40 The records of years immediately following the Permanent Settlement in 1789 are full of reports on the auction of defaulting zamindaris. For an example, see IOL: BBRP, P/71/50, 12 March 1792, letter from the Collector of Shahabad, dated 18 October, 1792.

41 Referring to the lack of prudent management on the part of the zamindars in pargana Ghyaspur, it was said that because of their feeling that as maliks they "cannot, on any account whatever or by any degree of misconduct, be deprived of a certain proportion of the usufruct of their lands, they seem determined to indulge in their natural insolence until their villages go to ruin, when they probably expect to be allowed a deduction of Jummah [revenue] although their own neglect or mismanagement is the sole cause of the lands having fallen below the standard at which they were assessed..." IOL: BBRP, P/71/48, 13 January, 1792, letter from the Collector of Behar, dated 21 December, 1792.

Permanent Settlement, resulting in a large number of sales. The low amount realized from the sale of estates reflected the declining prices. In addition, the low sale prices perhaps also pointed to the features handicapping zamindari property. While the zamindars were expected to pay a fixed revenue demand in monthly installments and faced imprisonment if they defaulted, they were prohibited from using coercion in collecting rents. Recognizing that these disabilities in law diminished the value of zamindari property, the government abolished them in 1799. Yearly sales of the defaulting zamindari property replaced monthy sales, giving the owners a little more breathing room to arrange their finances; imprisonment of zamindars was abolished; and the law was simplified to enable the zamindars to seize the property and crops of those intermediaries and peasants who defaulted.[42]

Legal changes appear to have combined with a break in the long spell of low prices in facilitating the collection of rents and in reducing the arrears of revenue at the end of the eighteenth century. By 1811–12, Francis Buchanan found that the burden of land revenue was considerably less than the 90 percent of the rental assumed by Permanent Settlement:[43]

> Although the people of this district are very cautious in speaking of their affairs, it is very generally admitted that, even by themselves, the owners of assessed lands have very considerable profits; nor do they scruple to admit that it far exceeds the estimate of one-tenth of the revenue, which was supposed to be the profit that they were to have by the settlement. In fact, it in general, I believe, far exceeds the total amount of revenue.

Further support for Buchanan's finding that the burden of land revenue, in relation to the total rent collection, had become small comes from the evidence on the practice of farming rents. With the task of collection made easier by legal changes and price behavior, zamindars farmed their estates to intermediary tenureholders to further ease their tasks. The big zamindars entrusted these intermediaries, called *thikādārs*, with rent collection from their tenants. These intermediaries contracted to pay, after defraying the expense on repairing and maintaining irrigation facilities, a certain sum for two to three years to zamindars and were left to collect rents from peasants. As rent in a large part of the district was based on the division of produce, the *thikādārī* system facilitated rent

42 The discussion on land market in this section is based to a large extent on Chaudhuri, "Land Market," part I.

43 *PGR*, II, 569.

collection over large and far-flung areas. This was particularly convenient for big zamindars, but it was not uncommon for petty zamindars to employ the same system. Although still responsible to the government for the payment of land revenue, intermediaries freed zamindars from the task of collecting rents. The willingness of thikadars to take engagements for collecting and paying rents over and above the government land-revenue demand, show that zamindari property was not unprofitable. This is also suggested by the existence of another form of intermediary tenure called *mustajiri*, which prevailed over one-fourth of the total land in some parts of the district in the early nineteenth century.[44] These *mustajirs* were intermediaries who lent money to zamindars and received the whole estate as security, besides getting 12 percent interest on the loan and one-half of the rent until the principal was returned.

It is important to note, however, that the ability of zamindari property to yield considerable income, making extensive rent-farming possible, did not immediately make it an attractive purchase. Thus Buchanan noted that the figures on the auction of zamindari estates in Patna and Gaya districts during 1806–11 suggested zamindari had not yet become an attractive saleable property. Of the 77 zamindaris put up for auction in the five years before his survey in 1811–12, the prices obtained were less than twice the land-revenue demand (Rs. 53,152 only for all the estates sold, with the demand totaling Rs. 33,777), and ten went without any bids; the prices paid for the estates rose to seven times the government demand in the auctions by 1814, but declined again during 1814–26 before rising dramatically after the middle of the century.[45] The low price obtained for zamindari estates, Jacques Pouchepadass points out, reflected the limited development of the land market. Because zamindari auctions were distress sales, the extent of land supply was not related to prices. As for the demand for land, it appears that the resistance that the new buyers faced from old estate owners dampened the desire for zamindari property.[46] With the supply controlled by the extent of distress and the demand dulled by the resistance of old owners, the low prices did not reflect the relation between supply and demand. Rather, they demonstrated the limited development of land as a commodity.

[44] *PGR*, II, 568–69 contains information on different categories of intermediaries described in this section.

[45] *PGR*, II, 569; Chaudhuri, "Land Market," part I, 19–27.

[46] Jacques Pouchepadass, "Land, Power and Market: The Rise of the Land Market in Gangetic India," *Rural India: Land, Power and Society Under British Rule*, ed. Peter Robb (London, 1983), 83–84.

The limited development of the land market, caused by the reluctance of zamindars to part with their property, the lucrative rental potential of the estates, and the resistance of old owners to new buyers, ruled out a massive social upheaval. This was particularly true in Bihar where, unlike Bengal, most of the big zamindars survived the initial tumultuous period. Tekari not only got ownership over the territory it had held as zamindar but also added to it by purchasing zamindaris that came up for auction.[47] Revenue-free establishments, such as the Bodh Gaya monastery, became zamindari estates and added to their possessions by purchasing and acquiring intermediary tenures in a number of villages in the southern part of the district.[48] In territories held previously by Kamgar Khan, settlements were predominantly made with renters who had replaced his descendent in the period preceding the introduction of Permanent Settlement.[49] In other areas, where the old zamindars and maliks had been completely displaced, the government gave zamindari engagements to new men. Among the new elements there were several merchants and professional men who bought zamindaris at auctions.[50] The entry of urban men, however, was limited. Because the government attempted to make engagements, wherever possible, with the old maliks, the extent of urban penetration remained restricted. Even the large zamindars appear to have employed local men, possibly old village lords, as intermediary tenureholders. Buchanan noted, for example, that many of the thikadars were Babhans, who, "from having been long the leaders in the anarchy which prevailed before the English government, have acquired a name that still conveys a good deal of terror."[51] It is probable that

[47] *PGR*, II, 594. "Village Notes" volumes also mention many villages purchased by the Tekari raj. In addition to purchasing estates, Tekari, under Raja Mitrajit Singh, tried a variety of methods to corner zamindari rights. See IOL: Behar and Benaras Revenue Proceedings, P/111/61, 21 September, 1816, "Account Sale of Lands in Zillah Bihar..."; P/111/87, 1 May, 1818, letter from the Collector of Behar, dated 28 April, 1818.

[48] This is clear from the list of villages mentioned in *HBGM*, 16–18. For an example of the monastery's purchase of maliks' estates, see GCRR: "Tanaja" for Mufassil thana no: 359, village Bodh Gaya.

[49] *PGR*, II, 589–93.

[50] Many cases of purchase of zamindari estates are mentioned in district records. Along with names of the buyer, records also note his place of residence and profession. See, for instance, BSA: PCR, vol. 5 (1817), "Account of lands situated in the District of Behar, lately the Property of Defaulting Zemindars, Sold by Public Auction."

[51] *PGR*, II, 569. Later records note that most of Tekari's thikadars were also local men, indicating that village maliks secured intermediary leases from the big

some of these were drawn from the class of the old Babhan maliks. The zamindar class during the British rule, while composed of predominantly old elements, was nonetheless a new group. Responsible for a fixed land tax, zamindars were true rent-receiving landlords who owed their exactions to the ownership of land conferred upon them. Because all claims to landed income were subordinated to ownership, those who did not have zamindari titles faced a bleak future. This was certainly true of the peasantry, which had to await tenancy legislation in the late nineteenth century before it received some legal protection from the invasive zamindari ownership. The Jagirdars found their assignments resumed and were left with only what they held as maliks. Cutting them down to size, the resumption of jagirs dealt a severe blow to these men, who were no longer able to maintain their elaborate establishments on allowances granted them. Only zamindari titles could secure them from total ruin. Thus, the jagirdars made a number of claims for zamindari rights in the decades following the 1790s.[52] The zamindari right, therefore, became the most coveted claim. But, unlike the zamindars of the Mughal era who received a share of the collected revenue or the maliks who received malikana owing to their superior social position, the Permanent Settlement made zamindari income dependent on ownership. The zamindars, in turn, frequently leased out their ownership rights to the intermediary tenureholders. To an extent, this was nothing new. The eighteenth century had also witnessed something akin to rent when revenue-farmers were left with what they collected over and above the government demand. But whereas the revenue-farmer owed his income to the terms of the contract and was more in the nature of a tribute-receiver, the Permanent Settlement accepted ownership as the fundamental basis for the zamindari income and thus gave it the character of rent. Of course, the law was materialized by the zamindars, who used their social position, as noted above, to repel new rival claimants, and adopted various other means to consolidate their property claims. In this way, the legal provisions set forth in 1793 became actual only through the passage of time during which the zamindars gave shape to and materialized landed property.

zamindars. *Final Report on the Survey and Settlement Operations in the Tikari Wards Estate, the Government Estates and the Belkhara Mahals, 1893–98*, by C. J. Stevenson-Moore (Calcutta, 1899), 28 (hereafter *TSR*).

52 *GSR*, 19–20; BSA: PCR, vol. III (1816), letter from the Acting Collector, Behar, dated 15 March, 1815; vol. 7 (1819), letters from the Collector of Behar, dated 18 August, 1807, and 8 September, 1819.

Ownership consolidated

As the zamindars tightened their grip over their estates, the region recovered from the devastating famine of 1769–70 and cultivation was extended and improved, the century after the 1830s witnessed the consolidation of zamindari property. While individual zamindars faced rising and declining fortunes during this period, the class as a whole did not experience a crisis in its position as rent-receivers until the early 1930s when a sharp slump in prices combined with peasant struggles to alter its position irrevocably. Until that crisis began a chain of events leading to the eventual emergence of peasant ownership, zamindari property remained the key to ownership in land.

The most compelling evidence for the consolidation of zamindari property comes from the studies of B.B. Chaudhuri and Jacques Pouchepadass on the emergence of a land market in Bihar. Tracing the movement of land prices and relating them to the general economic conditions, they point out that after the commercial and credit crises of 1830–48 landed property achieved a stability that lasted until the onset of the 1930s depression. Bihar, in particular, saw especially high auction prices during 1874–1928. But even before the high profile achieved by zamindari property in the 1870s, the land market was firmly in existence. The crises of 1830–48 demonstrated this fact. The depression of sale prices during these crisis years, coming as it did after two decades of slow recovery from the initial decade of zamindari crisis following the introduction of Permanent Settlement, showed how land and the credit market had become inextricably linked. The credit crisis had been caused by trade stagnation in Britain, the fall in agricultural prices, the failure of Agency Houses in Calcutta, and the general contraction of credit due to government policies and the scarcity of silver. In addition to the Calcutta failures, famous Agency Houses in Patna collapsed, contributing to the contraction of credit.[53] Because of the collapse of the credit market, the bankers, upon whom the zamindars depended for cash flow, were unable, or slow, to make land-revenue payments; as a result, after 1828–29 the arrears of revenue began to mount.[54] It was in this context that land values declined, pointing to the

[53] IOL: BBRP, P/82/52, 19 September, 1834, letter from the Commissioner of Revenue, Patna, 11 June, 1834.

[54] IOL: BBRP, P/82/52, 19 September, 1834, letter from the Officiating Commissioner of Revenue, Bhagalpur, dated April 5, 1834. Also Chaudhuri, "Land Market," part 1, 23–24.

emergence of a land market attuned to the fluctuations in the economy. The recovery of agricultural prices, and their rapid rise in the post-1850s, saw an immediate rise in land prices. Thus, while in the early nineteenth century the sale of zamindari estates brought, as we have seen above, less than twice the revenue demand, a century later, as Table 3.1 shows, the picture had changed dramatically.

The great increase in the price of landed property over a century was accompanied by a growing, though not matching, increase in zamindari income arising from the gap between revenue demand and rental assets. In Bihar, this difference between what the landlords received from their tenants and what they owed the government appears to have been even larger than in Bengal because, as colonial officials argued, the original assessment of lands for revenue purposes was also comparatively low.[55] Consequently, even as early as 1811–12 Buchanan had observed that the income from zamindari in Patna and Gaya districts was much greater than the anticipated 10 percent of the revenue demand. The figures available for Shahabad – a district reportedly more heavily assessed than other Bihar districts – show the extent of increase in zamindari income since Buchanan's surveys in the early nineteenth century. According to these figures, the government share of the gross produce in 1815 was about 10 percent; in 1912 this had declined to about 4 percent of the gross produce or less than 20 percent of the landlord's net income.[56] Of course, the increase in zamindari income does not fully explain the rise in land values, because the rate of increase in auction prices exceeded that in zamindari assets.[57] This suggests that factors other than the rise in income – such as the increasing competition for landed property – were also responsible for the ascending land values. But it is equally true that prices could not have risen considerably without some measure of increase in income.

One reason for the growing rental assets was the extension of cultivation.[58] In the early period, this took the form of recovery from

[55] *SAB*, XII, 125. The higher prices realized in Bengal support this view. See Chaudhuri, "Land Market," part I, 27.

[56] *Final Report on the Survey and Settlement Operations in the District of Shahabad 1907–1916*, by J. A. Hubback (Patna, 1928), 29–30, 128 (hereafter *SSR*).

[57] Thus, whereas the sale prices for estates had risen from about four times the revenue demand in 1814 to about ten times during 1913–18 (Chaudhuri, "Land Market," part I, 19, 27), i.e., by more than 100 percent, the value of the agricultural produce between 1815 and 1912 had risen in Shahabad – a district endowed with canal irrigation and generally regarded as relatively advanced – by only 50 per cent. *SSR*, 122–23.

[58] *SAB*, XII, 125.

Table 3.1. *Sale of zamindari estates in Gaya between 1912/13 and 1916/17*

Year	Number of estates Sold	Revenue demand (Rs.)	Price obtained (Rs.)
1912–13	20	825	11,142
1913–14	32	815	17,920
1914–15	25	1,069	28,820
1915–16	26	1,823	13,131?
1916–17	39	5,312	49,677

Source: GSR, 32.

the devastating famine of 1769–70. Between 1770 and 1860, as the region recovered from depopulation, and as the movement of prices and the adjustments made by zamindars smoothed out the initial harshness of the Permanent Settlement, cultivation slowly expanded all over Bihar.[59] This extension appeared to have continued during the second half of the century, so that the cultivated area in Gaya district increased by 11 percent between 1811–12 and 1891; Shahabad district witnessed a more impressive increase in the cultivated area as most of the cultivable lands lying uncultivated in 1812 were brought under the plough by 1909–11.[60] The construction of modern canal irrigation and the presence of large tracts of marginal and jungle-infested lands made the extension of agriculture possible in these districts. Thus, while most north Bihar districts, already highly cultivated and densely populated, experienced a growing pressure on rural resources and saw a considerable seasonal migration of the rural population, the south Bihar peasants and laborers extended the plough to previously uncultivated lands. As a result, in Gaya district, for example, most of the extension occurred in the central, western, and southern parts so that the tracts that lay waste in the early nineteenth century had been brought under cultivation by 1906. Consequently, the cultivated area in the district

[59] B. B. Chaudhuri, "Agricultural Growth in Bengal and Bihar, 1770–1860: Growth of Cultivation since the famine of 1770," *Bengal Past and Present*, 105, part 1, 180 (1976), 290–340.

[60] BSA: GOB, RD (Agriculture), December, 1893, Proceedings No: 1–5, letter from the Collector of Gaya, dated November 1, 1893. In Shahabad, in the three thanas where comparison was possible, the cultivated areas rose from 62 to 83 percent of the total area in Piro, 54 to 83 percent in Bikramganj, and 71 to 82 percent in Karghar. *SSR*, 101.

rose by 21 percent between 1876 and 1906 – from 1,728,006 to 2,098,400 acres.[61]

As for the process by which the extension of cultivation occurred, fragmentary evidence indicates that zamindars took an active interest in promoting the growth of agriculture. The Raja of Tekari and the Bodh Gaya Hindu monastery provide two examples of the landowners' role in extending agriculture. Buchanan noted in 1811–12 that the Raja of Tekari and the Bodh Gaya monastery had brought large parts of wastelands and forested lands of a southern pargana – Maher – under cultivation.[62] The monastery, more than any other landowner, was in an excellent position to enlarge the cultivated areas of villages under it. The presence of monks in every village under the monastery provided a ready institutional basis for agricultural operations. Since much of its land was in the southern parts of the district, the scope for extension of agriculture was also considerable. The presence of a large number of kamias in these villages during the 1911–18 settlement operations suggests that employment of kamias had been a part of the monastery's land-reclamation project.[63] These indications of the zamindars' direct role in extending cultivation are supplemented by their more indirect forms of involvement. One such form was the land-reclamation lease to peasants. An example of this was the lease given in the late nineteenth century to Dukhi Gope, who undertook the cultivation of 25 bighas of land for which, in return for his efforts in reclaiming the land, he was not expected to pay any rent for two years. Another example was that of Budhu Gope, who also got 25 bighas on similar terms for reclamation some time around the mid-nineteenth century.[64] In addition to giving such leases to peasants, the zamindars also brought in people whose specialty was land reclamation. Called *beldārs*, they were widely employed in reclaiming land in the southeastern parts of Gaya district where wasteland abounded. In the

[61] *GDG*, 113–14.
[62] *PGR*, II, 593.
[63] "Village Notes" show that the monastery's villages had a large number of landless Bhuinyas and only a sprinkling of upper-caste peasants. In oral testimonies, many kamias remembered themselves or their ancestors participating in extending cultivation under the direction of monks resident in the villages. The interest that the monks took in organizing agriculture was exemplified in filing suits to restore irrigation. BSA: Gaya Collectorate Records (hereafter GCR), vol. 20 (Issue side), letter from the Collector, dated November 12, 1859. Zamindars also at this time took an interest in ensuring irrigation to their estates. IOL: BBRP, P/85/3, 31 July, 1840, letter from the Assistant Superintendent of Khas Mahals, Behar, dated July 25, 1838.
[64] Stevenson-Moore, *Small Agriculturists and Labourers*, 27–28.

early nineteenth century, a beldar and his family moved from village to village bringing wastelands into cultivation. "At the expiration of the term of his lease, the land held by him having arrived to a degree of cultivation... he cannot be persuaded to remain on it, but migrates to another village where he engages as before on terms which ensure to him the exclusive enjoyment of the fruits of his industry."[65] Another method employed by the zamindars was to give reclamation leases to intermediaries. In southeastern Gaya several leases were given to intermediaries for extension of cultivation.[66]

Extension of cultivation in the nineteenth century was accompanied by intensification of agricultural practices. In 1811–12, Buchanan found that more than half of the winter rice was sown broadcast.[67] A century later, L. S. S. O'Malley in the District Gazetteer gave the impression that broadcast rice was only a small part of the winter crop. "Some winter rice known as *bāog* is not transplanted; it is sown broadcast on low lands at the commencement of rains, and also in years in which there has not been sufficient moisture to allow of transplantation at the proper time."[68] This statement was preceded by a description of winter rice cultivation which was really only an account of transplanted rice, suggesting that cultivation of winter rice in Gaya, in O'Malley's opinion, was synonymous with transplantation. If this was the case, then the silence of the records on this dramatic change is remarkable. As crop statistics did not list broadcast and transplanted rice separately, it is difficult to evaluate to what extent O'Malley was correct in his impression or to what degree Buchanan's estimate about that share of broadcast rice in the winter rice crop was accurate. It does appear, however, that some change in favor of transplanted rice occurred in the century between Buchanan's and O'Malley's accounts. This was probably a result of improvement in traditional irrigation and construction of the modern Sone canal in 1875.

Extension and intensification of cultivation during the nineteenth

65 BSA: PCR, vol. 8 (1820), "A Report on twenty seven estates in pergunnah Roh, based on the enquiry conducted by an officer, Reade (Assistant to the Board of Commissioners, on Deputation)," dated February 9, 1820.

66 Reade noted some of these in his report; see the preceding note. The purchasers of estates also invested in clearing jungles and constructing embankments. Such efforts were complemented by the government's promotion of land reclamation by giving leases of resumed revenue-free estates to intermediaries who borrowed money from moneylenders to extend cultivation. See BSA: PCR, vol. 5 (1817), letter from the Assistant Collector, zillah Ramgarh, dated July 26, 1817, to the Collector, zillah Behar, and vol. 7 (1819), letter from the Collector of Behar, dated September 8, 1819.

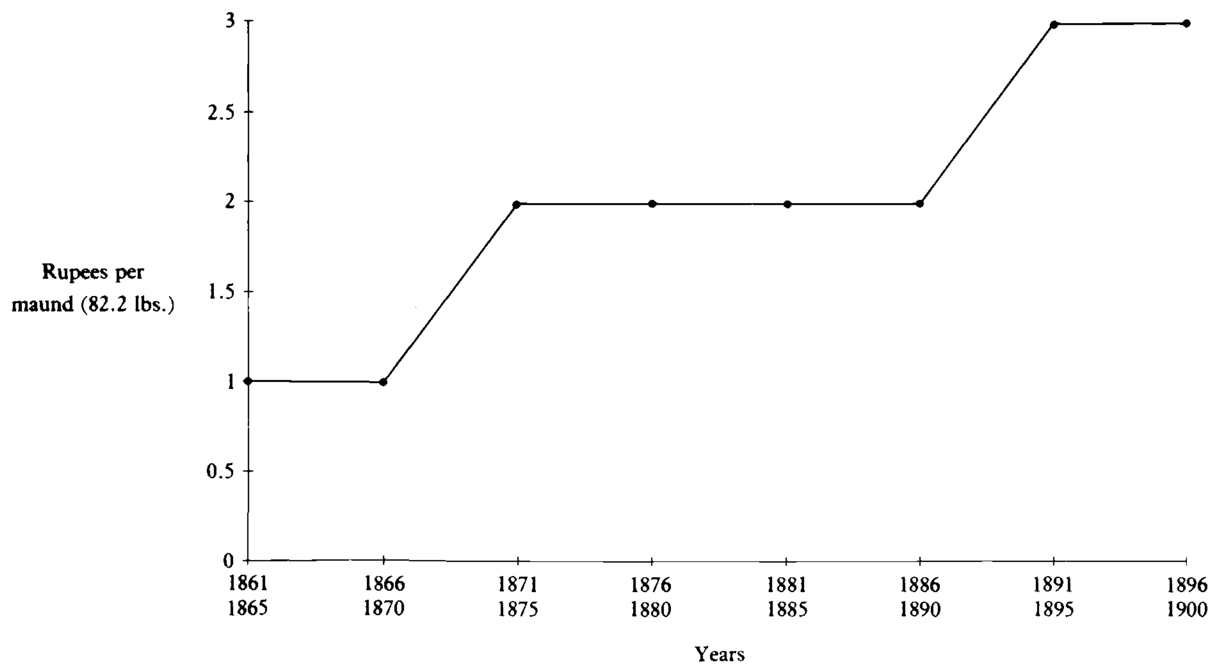
67 *PGR*, vol. II, 494. 68 *GDG*, 107.

century happened in the context of rising prices of agricultural commodities. In 1771, common paddy sold at 106 seers to a rupee, the best paddy sold at 95 seers to a rupee, and the best rice sold at 31 seers to a rupee; in 1870, a rupee bought only 45 seers of common paddy, 53 seers of the best paddy, and 18 seers of the best rice.[69] The quinquennial average of the price of common rice in Gaya between 1861 and 1900 given in Figure 3.1 confirms the upward trend in prices.

Since nearly 68 percent of the area in Gaya held by peasants in 1911–18 was under produce rent, zamindars stood to gain directly from the rise in price of agricultural produce. Peasants, on the other hand, benefited from fixed cash rents. The conflict between landlords and peasants in 1911–18 over whether a particular holding paid cash or produce rent dramatized how radically the situation had changed since 1811–12. Whereas a large zamindari like Tekari was seen moving towards cash rents during the early nineteenth century, a century later the same Tekari estate was found replacing cash rents from thikadars with direct collection of produce rents from peasants. The Raja of Maksudpur, a large zamindari off-shoot of the Tekari family, was also found converting cash rents into produce rents. Sukhan Singh, another big zamindar, followed the same practice. Acknowledging that in the hundred years since Buchanan the share of produce rent had fallen, the Settlement Officer of Gaya doubted that "it can be said with confidence that there has been of recent years any marked decrease in the amount of produce rents, such conversions as have taken place being counteracted by changes in the opposite direction. It is common practice on the part of new proprietors by purchase to change *naqdi* [cash rent] lands into *bhaoli* [produce rent]."[70]

The reason why landlords preferred produce over cash rents in a century marked by a strong surge in prices is obvious. But in addition to allowing rents to keep up with price rise, produce rent had another distinct advantage over cash rent: the share of agricultural produce appropriated as rent was greater under rent in kind. Although the actual rent that the landlord received, after various deductions were allowed, never approximated the theoretical one-half of the produce, it was still slightly greater than cash rent.[71] Finding that the absolute

[69] Hand, *Early British Administration*, 61–62; *SAB*, XII, 98.
[70] *GSR*, 90. See also 24, 45, 90 of the report and BSA: GOB, RD (Land Revenue), May 10, 1910, Proceedings No: 1–12; Memorandum by P. W. Murphy dated January 29, 1910, for information cited in this section.
[71] *GSR*, 114.



Source: *Prices and Wages in India*

Fig.3.1 Quinquennial average of common rice prices in Gaya, 1861–1900

size of produce rent was not much greater than cash rent, the Settlement Officer of Gaya concluded that the prevailing notion about the produce rent's greater profitability was ill-founded. But the comparison of absolute size of produce under the two forms of rent conceals an important point. Usually lands paying produce rents, as the Settlement Officer himself noted, were inferior to cash-rent paying lands, so that the total yield on such lands must have also been less. And yet, the fact that the absolute size of the produce alienated as rent was equal if not slightly higher than cash rents means that produce rents made appropriation of a greater share of the produce possible. This was in sharp contrast to the situation that existed in the early nineteenth century. Buchanan found in 1811–12 that cash rent was much greater than the share of the produce that the landlord received under produce rent.[72] Presumably, landlords promoted land extension and improvement of agriculture through produce rents. But against the background of rising prices in the mid-nineteenth century, the relation between produce and cash rents was reversed. Under these circumstances, landlords understandably favored produce over cash rents.

Equally understandable is the landlords' drive to convert the *batai* form of produce rent to *dānābandi*. Under batai, the actual produce was brought to the threshing floor and was divided between the landlord and the peasant. In danabandi, however, the division was based on the estimate of the ripe crop in the field. Although both systems were in existence in the early nineteenth century, Buchanan's report suggests that batai was the norm. A century later, the danabandi form applied to nearly half of all lands under produce rents.[73] Colonial officials believed that, from the point of view of landlords, danabandi had a great advantage over the system of simple division of the actual produce. Since division of the crop was based on the estimate rather than the actual produce, the peasant practice of pilfering from the crop before it was brought for division was defeated. But appraisement could work for the landlord only if he possessed a reliable bureaucracy which would not collude with peasants in estimating the crop. Since this was not the case in the early nineteenth century, landlords granted danabandi only as a reward to "good tenants." These were those peasants whose produce was large enough so that despite peculation landlords still expected to receive something. It could not be allowed to "the indolent and

[72] *PGR*, II, 549–51.
[73] *GSR*, 102. See also B. B. Chaudhuri, "Movement of Rent in Eastern India," *IHR*, 3, 2 (1977), 309–90.

necessitous. The landlord, were he to trust them would receive nothing. His officers must therefore carefully attend at the thrashing [*sic*] floor, and secure his share, before it comes into the clutches of those to whom the tenant is indebted."[74]

Because danabandi was a more exacting and efficient form of rent, the late nineteenth century saw the landlords adopting various means to impose this system. An example of how zamindars tried to force peasants into paying danabandi was revealed by the Assistant Settlement Officer in Gaya. In one village, the Tekari raj's agent withheld rent receipts to peasants, claiming that they had not paid rents in order to force them into accepting appraisement.[75]

The trick which the gumashta wants to take [*sic*] is to deny payments of rents to sue the raiyats [tenants] & thus to punish them for non-compliance with his wish. The Putwaree deserves pity as he is an old man & the manner in which he deposed indicated that he is an unwilling accomplice & his services are at stake – he having proved somewhat incapable & backward in the matter of fabrication of papers.

A determined landlord used his agents to coerce peasants into accepting danabandi, with the *patwārī* (supposedly an independent check on the zamindar) complicit in the move because of his dependence on the landlord. The drive towards appraisement was resisted by peasants. But small peasants were usually unsuccessful because, once landlords had coerced them into accepting danabandi for even a couple of years, it was enough for revenue officials to legalize it. Rich peasants, on the other hand, could successfully thwart landlords.[76] But when the landlords were successful, the change from batai to danabandi was notable not only for checking produce spirited away by peasant illegalities. Enabling systematic over-appraisement and suppressing the customary mutuality of batai, danabandi gave landlords an instrument to increase their share of the produce. After extensive tours of south Bihar, an official noted in 1910 that, after all deductions, the share of the peasant had been forced down from one-half to one-third under danabandi. The more efficient system of appraisement and imposition of *nausat* (a system whereby the landlord got nine-sixteenths instead of one-half of the produce) combined to raise the rent under danabandi.[77]

74 *PGR*, II, 534.

75 GCRR: "Village Notes"; "Note for Orders" appended to the Village Note on Mufassil thana no: 355, village Amawan.

76 GCRR: "Tanaja" for Mufassil thana no: 358, village Bakraur.

77 The information cited in this section on the advantages that the landlords enjoyed under danabandi can be found in *Behar Rent Law Papers* (Calcutta, 1878–79), 12;

In big estates, the actual collection of these danabandi rents was in cash. After the landlord's share had been determined it was converted to its cash equivalent and collected by landlords. The rate by which the cash equivalent was determined changed every fortnight or three weeks as, following the market trends, landlords updated their price lists. Such a system freed landlords from the task of collecting and transporting produce from their scattered estate and made peasants responsible for converting their produce into cash.[78]

Supporting collection of rents in cash was a network of markets financed and serviced by bankers and traders, and made possible by an increasing trade traffic. Weekly and bi-weekly markets, called *hāts*, served a cluster of villages where grain traders came to buy agricultural commodities.[79] Itinerant traders traveled to remote villages to buy grain and brought it to these markets where these commodities were purchased by grain dealers.[80] The construction of railroads in the late nineteenth century, connecting south Bihar districts such as Gaya to the commercial centers at Patna in the north, to Calcutta in the east, and to cities and markets in northwestern India, further developed the trade in agricultural commodities. A report from 1879 stated:

In Gaya the traffic [trade] was considerably increased, in country produce in particular. Daoodnuggur is a great mart for linseed. As soon as Soane gets into flood the linseed is put on board boats and dispatched to Calcutta; but it is now hoped that the Patna branch canal will carry a part of this trade.[81]

As trade traffic grew, former agriculturists and upper-caste men found employment as supercargoes and custodians of property, and

BSA: GOBO, RD (Land Revenue), March 1916, Proceedings No: 10–13, letter from E. L. Tanner, dated April 21, 1915; BSA: GOB, RD (Land Revenue), May 1910, No. 1–2, report of H. Mcpherson; *GSR*, 112–15 *passim*.

78 *GSR*, 106–07.

79 According to one report, on an average there was one market for every 29 square miles and to every 11,700 persons. These markets were held once or twice a week on lands owned by a landlord or by his intermediaries; BSA: GOBO, Education and Development Department (Agriculture), September 1927, Proceedings No: 22–26; letter of the Secretary, dated March 8, 1927. "Village Notes" mention many such weekly markets.

80 In south Bihar, the local dealers moved from village to village with their pack bullocks, or, where roads were passable, with their carts. The relation between dealer and grain merchants varied. Sometimes the grain merchant sold the dealer's grain on commission, and in some cases the dealers acted as the grain merchant's agents and took advances for buying grain. See BSA: GOBO, Education and Development Department (Agriculture), September 1927, Proceedings No. 22–26, letter from the Secretary, dated March 8, 1927.

81 IOL: Bengal General Department Proceedings (hereafter BGD) (Miscellaneous), P/1306, August 1879, File 129–1, Annual General Report, Patna Division, 1878–79.

drove carts and pack-bullocks.[82] Carried by railroads, district roads, and canals, and serviced by bankers, traders, and other functionaries, the trade in agricultural commodities loosened the earlier tight link between the outturn of crops and food-grain prices, and integrated markets, as the following account shows:

Everywhere prices of food-grain were exceptionally high. As I stated last year, in ordinary years the local prices of food-grain are regulated by the outturn of crops about to appear in the market, but now they are not so affected in spite of good harvests. This is of course due to demand for exportation to other provinces, and to general decrease of stocks which increasing facilities for export bring about; and as remarked by the Collector of Patna, it is not likely that prices will ever fall as low as they used to be – one of the results of the general extension of roads, railways, and canals.[83]

With the relationship between the outturn of crops and their prices loosened, the gap between the highest and lowest prices of agricultural commodities lessened. For example, whereas in 1861 the lowest price of rice in Bengal Presidency was 54.91 seers per rupee at Noakhali and the highest was 16.99 seers per rupee, by 1901 the gap between the two extremes had closed so that the lowest price for rice was 14.25 seers at Singhbhum and the highest was 9.2 seers at Rangpur. In the ten years 1861–71, rice in the Presidency was dearest in 1866 at 13.82 seers per rupee and cheapest in 1862 at 29.48 seers per rupee – a difference of 113.76 percent; but between 1891 and 1901 it was dearest in 1897, when rice sold for 9.59 seers per rupee, and cheapest in 1895 when it sold for 16.91 seers per rupee – a difference of 76 percent.[84]

Keeping track of price movements, adjusting and collecting rental demands accordingly, and imposing new forms of rents implied a

[82] IOL: Mss. Eur. F/88/161, Richard Temple Collection (hereafter Temple Collection), Appendix to the letter from the Commissioner, Patna Division, dated November 5, 1875.

[83] IOL: BGD (Miscellaneous), P/1306, August 1879, File 129–1, Annual General Report, Patna Division, 1878–79.

[84] BSA: GOB, RD (Agriculture), September 1902, Proceedings No. 7–10, "Memorandum on the Material Condition of the People of Bengal in the Years 1892–93 to 1901–1902," by L. P. Shirras. On the convergence of prices and expansion of markets under the impact of railroad construction, see John Hurd II, "Railways and the Expansion of Markets in India, 1861–1921," *Explorations in Economic History*, 12, 3 (July 1975), 263–88. For a recent study showing that the prices in India rose dramatically during the second half of the nineteenth century, see Michelle McAlpin, "Price Movements and Fluctuations in Economic Activity (1860–1947)," *The Cambridge Economic History of India*, II (hereafter *CEHI*, II), ed. Dharma Kumar (Cambridge, 1983), 878–904.

more direct zamindari control over their estates. While the small resident landlords were in a position to do so quite easily, the big landlords established a tighter grip over their estates with a variety of measures. One method that became pronounced over the long term was the elimination of intermediaries. Writing in the 1880s, George Grierson noted that large zamindars, learning from the direct efficient management of estates under the Court of Wards, had done away with intermediaries. At the end of the nineteenth century, the same tendency towards direct management was also noted in the Tekari estate. About fifteen years later, the Settlement Officer of Gaya noted that control from above had increased and the practice of leasing land to thikadars had been abandoned.[85] Assertion of central control occurred through the extension of zamindari bureaucracy. In spite of the government's desire to make village officials an independent agency which, by maintaining records of rents and lands, could act as a check on the zamindars' oppression of the peasantry, by the end of the nineteenth century village officials such as patwaris (accountants), *barāhils* (peons), *gumāshtās* (landlord's agents) and goraits (watchmen) had become "mere creatures" of the zamindar.[86] These functionaries, employed when the thikadars were eliminated, looked after the zamindar's interest in the village, produced papers to support claims made by him in cases of dispute, and acted as the eyes and arms of zamindari power at the local level.[87]

Initiated by the Court of Wards, the centralization of zamindari control came to depend upon the personal initiative of the zamindar. Thus, when the seven-annas Tekari estate came under the management of Raja Harihar Singh of Amawan following his marriage to the proprietress of the estate, direct management and central control became the rule.[88] Whereas most zamindaris depended on individual initiative, the Bodh Gaya monastery possessed an institutional mechanism to introduce centralization. From the beginning, the monastery had not been content with merely receiving rents from its

[85] For evidence cited in this section, see Grierson, *Notes*, 79. BSA: GOB, RD (Land Revenue), October 1895, Proceedings No: 72–74. *GSR*, 24, 101.

[86] *Behar Rent Law Papers*, 19.

[87] In Bakraur, for instance, a little before Pyare Lall's thikadari came to an end, both Shahbazpur and Tekari estates' agents arrived and stayed on. (Oral testimony of Chandra Shekhar Lall, Bakraur, September 4, 1982.) This oral testimony was confirmed by revenue records in which names of these agents appear frequently in connection with various disputes. See GCRR: "Tanaja," Mufassil thana no: 358, village Bakraur.

[88] *GSR*, 24, 103.

revenue-free villages. Through monks spread throughout Gaya district, the monastery brought its revenue-free and zamindari villages under direct management. Residing in the villages, these monks enabled the monastery to assume actual possession of even those villages that it had received as grants. In the nineteenth century, through purchase, grants, and permanent intermediary tenures, the monastery added to the lands it possessed as a revenue-free holder. A report of 1892 listed more than half of 212 villages, or shares in village lands, with the monastery as a tenureholder or as a zamindar. Managed by its disciples, the monastery's rental income rose from an estimated Rs. 30,000–40,000 in the 1830s to over Rs. 100,000 in 1892.[89]

With the nature and extent of zamindari control dependent on the personal initiative and capacity of individual owners, it is not surprising that many zamindars encountered distress and fell back in revenue payments at the same time as landed property was consolidated. Even as rental assets rose, several individual owners saw their revenue arrears mounting and their estates led up to the auction block. The Settlement Officer of Gaya pointed out that it was not the inability of the estate to bear the revenue demand but the poverty of these owners that threw them into the rank of defaulters.[90] This poverty of zamindars in Bihar, noticeable as early as 1786 and commented upon repeatedly thereafter, was attributed to the subdivision of zamindari estates. While the subdivision of large estates such as Tekari in the mid-nineteenth century still left its owners with zamindaris, subdivision of the large number of small estates spawned numerous petty zamindars. Without supplementary income, these holders of minute estates could not support themselves and pay the government demand. Thus, Buchanan notes that their poverty was so desperate that "many of the military Brahmans who have small lots, unwilling to undergo the fatigues of European discipline or to labor for hire, have betaken themselves to absolute

[89] The information on the monastery's management of its lands has been taken from the following sources: BSA: PCR, vol. 1 (1813), "Rent Free Lands Granted Subsequent to the Dewany by the Company," and vol. 14 (1834), letter from the Deputy Collector, dated May 21, 1834, to the Commissioner, Patna Division, in Patna Commissioner's Records; *HBGM*, 3, 16–18. Referring to the monastery's tight management, the last mentioned report added that "One peculiar feature in the management of the domestic and foreign affairs of the estate is that all posts in and outside the monastery are reserved for the members of the order. All persons employed, – from the grass-cut [sic] to the highest priest, or the biggest village agent, – are *gir gosains* of the Sivite school, disciples of His Holiness the Mahant of Bodh Gaya."

[90] *GSR*, 93.

begging..."[91] Although somewhat hyperbolic this statement's reference to the poverty of zamindars accords well with other accounts. Poverty, however, was not the only reason why estates came up for auction. The existence of co-sharers in an estate was also a contributory element. Because there was no mechanism to force payment from defaulting partners in joint undivided but partitioned estates, the fault of one could put the entire estate in default.[92]

While the small zamindars faced dispossession when they defaulted, the "institutional shelter" provided by the government saved the big estate owners from the danger of mounting arrears and auctions.[93] The Court of Wards took over the management of big estates when the owner was a minor, and its direct and usually efficient management augmented the estate's resources. This was true of Tekari when it was taken over in 1885 because the owner was only eight years old. Over 1885–1906, the period when it was under the management of the Court of Wards, the government made judicious productive expenditures, raising the rental demand and collections of the estate. Maksudpur, acquired by the Court of Wards in 1907 because of the owner's indebtedness, was managed by the government until 1924. During this period, the Court of Wards used the estate's resources, sold some villages, and raised loans to liquidate its debts.[94]

Neither the difficulties encountered by the big estate owners nor the auctions of small zamindaris represented a serious threat to zamindari property. In fact, if partition and subdivision of property thrust the small estates into the auction market, the creation of minute estates and numerous shares, paradoxically enough, was testimony to the value people put on owning zamindari property. As for the indebtedness of large zamindars, their status as landowners required the display of wealth and splendor. Celebrating marriages lavishly, living luxuriously, and litigating obsessively, the big zamin-

[91] *PGR*, II, 563.

[92] IOL: BBRP, P/92/52, 19 September, 1834, letters from the Commissioner of Patna, dated February 15, 1834, and Deputy Collector of Monghyr, dated October 20, 1834. These clearly suggest that the cause for default lay with partitions rather than the inability of estates to bear the revenue demand.

[93] Anand Yang, "An Institutional Shelter: The Court of Wards in Late Nineteenth Century Bihar," *MAS*, 13, 2 (1979), 247–64.

[94] For the activities of the Court of Wards referred to in this section, see *Report on the Wards' and Attached Estates in the Lower Provinces for the Year 1891–92* (Calcutta, 1892), 20–21, and Appendices VI–VII; and for years 1893–94 (p. 20), 1896–97 (p. 19), 1897–98 (p. 28), 1898–99 (p. 33), 1900–01 (Appendix I), 1905–06 (p. 20), and *Report on the Wards', Encumbered and Attached Estates in the Province of Bihar and Orissa for the Year 1913–14* (Patna, 1914), 15, and the year 1924–25.

dars' grand style immersed them in debts. But rather than foreclose, the bankers preferred to reap interest on debts that the zamindari property bore.[95] After all, when set against the background of rising prices and integration of markets, extension and improvement of cultivation, produce rent and the change in its form, and the assumption of direct control over the estate, zamindari property appeared to be solidly established. A century of change since 1793 had succeeded in giving substance to the Permanent Settlement's legal innovations.

Land objectified

Because ownership appeared to provide the basis for making the zamindar into a landlord and the peasant into a tenant, the nineteenth century witnessed the emergence of land as an object. This rendered zamindari ownership as only the most prominent and prestigious legal form among many other forms of possessing this object. Zamindari ownership jostled with various intermediary and peasant tenures in making the control of land the source for constructing agrarian production relations. With land subjected to a range of controls, the dominating groups held a variety of legal statuses. Many zamindars also held lands as tenants and many peasants also owned land as zamindars. The complicated legal forms that the control over land took not only articulated but also established the mode of its objectification. As a result, neither agricultural production nor agrarian classes could escape the consequences of the complicated legal forms by which land was objectified.

One consequence of the drive to secure possession of land through authoritative legal tenures was the growing non-correspondence between legal titles and class relations. Although zamindari ownership was the most fundamental and valued form of establishing relations with land, those fortunate enough to possess it did not constitute a homogeneous class. Included in the category were both large landlords and village maliks. Large estate holders like Tekari, Maksudpur, and Deo were the classic rent-receiving landlords, as were the urban professionals and traders who had acquired zamindari through purchase. But there were others who were different. Although a large estate holder, the Bodh Gaya monastery was by no means a mere rent-receiving institution. In addition to collecting rents from peasants, the monks organized direct cultivation with

[95] IOL: Mss. Eur. F/88/161, Temple Collection.

kamias in almost all the villages under their control. The maliks' case was equally complicated. Although a class of landlords, not all of them possessed zamindari titles. There were those who had ownership over their villages, but saw their zamindari sold. The ranks of landlords who had been forced to sell their zamindari titles were swelled by those who had never been given these titles in the first place. Although such landlords continued to clamor for it long after the Permanent Settlement, they obviously could not depend upon zamindari ownership alone. Nor could they depend on their old status as pre-eminent village lords. In 1839, a new rule was introduced whereby customary payments from peasants, allowed in recognition of the maliks' position, were turned into an allowance from the District Collector. "The amount he was to recover could never recompense him for the loss caused: it seldom equals the value he enjoyed before & is put to such expense & trouble in procuring payment from the treasury."[96] What he lost was not merely material resources but symbolic capital that was previously expressed in the direct payment of customary dues by peasants. This compounded the loss that his authority suffered when a zamindar, through his agent, established direct control over the village and its inhabitants. Thus, with zamindari ownership denied or lost and old privileges losing their appeal, small landlords turned to other means of land control.

The proliferation of tenurial means of land control pointed to the new status of land as an object. As the relation between people and a thing – land – appeared to underpin social ties in relation to land, those without zamindari possession sought other instruments of establishing their ties with land. The history of Pyare Lall's family in Bakraur village illustrates this process.[97] An ancestor of the family, Bihari Chaudhari, had come to Bakraur sometime in the last quarter of the seventeenth century. He became a devotee of the monk at Bakraur and within a couple of decades his family became the *jeth raiyat* of the village – a status akin to village maliks. According to the descendants of the family today, their ancestors collected and paid revenue for the whole village to a zamindar called

[96] BSA: PCR, vol. 21 (1839), letter from the Officiating Superintendent of Khas Mahals, dated January 10, 1839.

[97] I have reconstructed Pyare Lall family's history through oral testimonies and settlement records contained in GCRR: "Village Notes," "Khatian" and "Tanaja" for Mufassil thana no: 358 and 359. The written records confirm many of the details about the history of landlords remembered by the people. For example, the reference to Bodh Narain in oral testimonies is supported by the written record ("Tanaja" for Mufassil thana no: 359) stating that a zamindar by this name existed in the early eighteenth century.

Bodh Narain. When Bakraur came under the zamindari of Tekari raj, a variety of rent-collection methods, including thikadari, was tried. It was only at the turn of this century that direct management and zamindari bureaucracy were finally established by Tekari and one of its off-shoots, the Shahbazpur family, between whom Bakraur was almost equally divided. Although direct management was in place, Pyare Lall's family was an under-tenureholder of nearly 50 acres of land that the two landlords (Tekari and Shahbazpur) had given as a permanent lease to the monk of Bakraur. This was in addition to nearly 75 acres of land that the family held as tenants. Where land possession was concerned, Pyare Lall and others like him were probably not adversely affected by the introduction of the zamindari system. In fact, as a thikadar his ancestors had added to the family's possessions. Not having zamindari ownership of lands, however, affected men like Pyare Lall. They paid the large rent to zamindars rather than the smaller land revenue they would have paid as owners to the government; and they could not command the labor of peasants who, when the heavy labor demand of transplantation required, performed forced labor for the owners. Denied such benefits because of the lack of a zamindari title, maliks like Pyare Lall sought control over land through intermediary and tenant tenures. But holding such tenures did not automatically make them peasants. For example, much of the nearly 125 acres of land that Pyare Lall's family held under intermediary and tenant titles was cultivated by his kamias, and a portion was subleased to peasants.

There were other examples of efforts to use legal tenures to control land and thereby exploit peasants and laborers. Of these, a notable one consisted of the drive by small landlords and substantial peasants to acquire peasant holdings. One method was outright forcible eviction of poor peasants. Another was through the market in peasant holdings that developed after tenancy legislations in 1859 and 1885 legally secured the position of occupancy tenants. The data on transfer of tenant holdings is fragmentary, but such evidence as does exist makes it amply clear that transfers of holdings were on the rise. Table 3.2 brings together some of the available data on the registered sales of holdings, combining figures of those on fixed rates with those with only occupancy rights. These figures do not, however, indicate the extent of transfer of peasant holdings because they do not include the figures on the predominant form of transfer – mortgages. But because, unlike sales, mortgages were not usually recorded and came to light only under detailed survey and settlement proceedings, a time series for mortgages cannot be constructed. So, while it is difficult to

Table 3.2. *Annual average of five-yearly figures on the number of sales of peasant holdings in three South Bihar districts, 1880/81 to 1900/01*[a]

District	1880/81–1884/85	1887/88–1891/92	1891/92–1895/96
Patna	265	753	772
Gaya	241	233	370
Shahabad	716	1246	1547

[a]Figures for the years 1885/86 and 1886/87 are not available.
Source: BSA; GOB, Revenue Department (Land Revenue), August, 1898, Nos. 56–58, and August, 1904, Nos. 36–37.

measure the amount of holdings and land sold and mortgaged over time, the tendency towards the rise in the transfer of peasant holdings is unmistakable.

What is significant to note, however, is that the tendency towards increasing transfer was not always accompanied by an increase in prices paid for peasant holdings. Thus, the annual average price paid for peasant holdings in Patna fell from Rs. 111 per acre in 1891–1901 to Rs. 106 during 1907–12, in Gaya from Rs. 76 per acre to Rs. 57 in 1911–18. Only in Shahabad did it rise from Rs. 125 in 1891–1901 to Rs. 151 in 1907–16, presumably because an overwhelming part of the transferred holdings were on fixed rates.[98] Such holdings, having a large presence in Shahabad, were more attractive than occupancy holdings which formed the overwhelming part of transferred lands in other districts. From the uneven movement of prices of peasant holdings, it appears that prices in Shahabad were more demand-driven than those in Patna and Gaya. By the 1920s, however, Bihar witnessed rises in both supply and demand for peasant holdings, reflected in dramatic rises in the number of sales and the prices obtained.[99] While this does not necessarily mean that peasant holdings became suddenly more profitable, it does indicate that distress supply was matched by demand for land.

The available data on who was acquiring and who was losing peasant holdings illustrates the process by which land became an

[98] I have calculated the figures for 1891–1901 from BSA: GOB, RD (Land Revenue), August 1904, Proceedings No: 36–37. The later figures have been taken from *PSR*, 41; *GSR*, Appendix VII; and *SSR*, Appendix G.

[99] *Report of the Bihar and Orissa Provincial Banking Enquiry Committee, 1929–30*, I (Patna, 1930), 10–14 (hereafter *BBECR*).

object. The data on purchasers reveals conclusively that, instead of the much-maligned moneylenders, people classified as landlords and tenants cornered the bulk of transferred holdings.[100] This feature of the peasant land market should be viewed in conjunction with certain other characteristics of the agrarian economy: first, that most transfers concerned part holdings, suggesting that distress was the cause of alienations; second, that most transfers were through mortgage, indicating indebtedness as the main cause of the peasant distress; third, that rich peasants and landlords were the main sources of rural credit;[101] and finally that, as officials reported, land was passing from low-caste poor peasants to upper-caste rich peasants.[102] When viewed along with these features of the agrarian economy, the predominance of landlords and tenants among the purchasers of peasant lands shows that while land was objectified, many poor peasants found themselves either forcibly evicted or forced to alienate their holdings because they were sunk in debt. Of course, they were not driven to landlessness. They tried to escape it by alienating only a portion of their holdings, as the predominance of part holdings in peasant land transfers indicates. Also, the practice of subletting meant that under-tenancy was an option. But even if these saved the poor from landlessness, it could not prevent their position from becoming more precarious.

While the drive for land control meant that many of the poor peasants lost secure titles, the case of the rich was different. Combining zamindari, intermediary, and tenant titles, the upper-caste landlords and rich peasants added to their grip over land. Their ranks were joined by lower-caste men. An early example of this was the case of Chonee Hajam, of the barber caste, who, having produced two houses in Gaya town as security, and shown evidence of his previous lease of the village during which he extended cultivation, was given zamindari ownership of Bazidpur in pargana Maher in 1838.[103] Decades later, this was becoming more common. Thus the Collector of Bhagalpur wrote in the 1870s that "Munduls and Mahtohs [titles of low-caste peasants] are bidding against the ordinary landowning classes; and at Singhessur fair a large number of

[100] NAI: GOI, RAD (Land Revenue), "Selections of Papers on Indebtedness and Land Transfer," letter from the Bengal Board of Revenue, dated July 16, 1894. See also the documents cited in note 98.

[101] *BBECR*, I, 27, 29. Also the evidence cited in the preceding note.

[102] Government of Bengal, *Report on the Administration of the Opium Department, 1902–03* (hereafter *Bengal Opium Report*), letter from J. H. Kerr, p. 3.

[103] IOL: BBRP, P/85/32, 4 June 1841, letter from the Superintendent, Khas Mahals, dated July 20, 1838.

elephants were purchased by cultivators. I know of one case where a ryot with two hundred bighas of ancestral *jote* [holding] only as the foundation of his fortune has this year bought up the whole of the estate in which that *jote* is situated for Rs. 15,000."[104] In addition to buying zamindari estates, some low-caste peasants also leased their way into the ranks of rich peasants. In Bakraur, Balkishun Mahto and Shankar Mahto were two such enterprising rich Koeri peasants who, in addition to holding lands as tenants directly from the zamindar, also cultivated lands they subleased from others, and employed kamias in cultivating their holdings.[105] These peasants, leasing and sub-leasing lands, resisted the landlords' attempts to introduce danabandi, and were in the forefront of the struggle to commute their rents into cash.

The drive to commute produce into cash rents constituted an important method of extending market relations to land. Opposing the zamindars' imposition of danabandi and a variety of other methods including civil suits to enhance rents, rich peasants used a variety of legal tenures, including zamindari titles, to collect produce rents themselves from their tenants and subtenants. Direct cultivation with kamia labor added further to the stock of grain surplus that they sold in the market for a profit. During the famine of 1896–97, the Collector of Gaya reported:

The *bhaoli* system that prevails over so large a portion of the district leads to the hoarding of grain, and in a year like the present, both landlord and tenant will reap large profits from the sale of surplus grain.[106]

Obviously the poor could not wait for high prices because they either needed their produce for consumption or had to sell it immediately after the harvest was reaped in order to meet their cash obligations. Furthermore, in many places their produce was already hypothecated to moneylenders, as a report from 1874 stated:

The *mahajunee* system which prevails here would not justify us in inferring that, because a district was exporting grain, therefore it has produced more than it required for its own wants. Nine out of ten ryots in this country are in debt to the mahajun. When they sow their field they take advances from

[104] IOL: BGD (Miscellaneous), P/1306, File 6–5/8, Annual General Report, Bhagalpur Division, 1878–79.

[105] The record of their subleases can be found in GCRR: "Khatian" for Mufassil thana no: 358, village Bakraur. For the existence of rich low-caste peasants elsewhere, see *Final Report on the Survey and Settlement Operations in the Maksudpur Estate in the District of Gaya,* 1900–04, by H. Coupland (Calcutta, 1907), 4.

[106] NAI: GOI, RAD (Famine), December 1896, B Proceedings No: 21, cited in the letter from the Commissioner of Patna Division.

him...[The] principal and interest often being repaid (partially, almost never wholly) in grain when the harvest is cut. Thus, by the system of the country, the producer of the grain cannot do with it what he wishes. The ryot must give large portions of their stock to the mahajun, who may [be]...working for some large capitalist or banker to whom he sends the grain, or he may be under contract to export grain elsewhere which he obtains from the ryots.[107]

With their surplus either too small or already pledged to meet their debt obligations, the poor peasants could not profit from high prices. Rich peasants and small landlords, on the other hand, were placed differently. In addition to producing and controlling their surplus, their position as major providers of rural credit also gave them access to the produce of poor peasants. It is therefore not surprising that they were reported to have maintained large stocks of surplus grain. They hoarded their stocks, particularly during times of famine, fearing grain deficiency for their own consumption. But guaranteeing future consumption was not the only reason for hoarding. Even in times of scarcity, those with sufficient stocks held out for better prices. Thus, the Collector of Gaya pointed out that, during the famine of 1896–97, peasants sold a part of their surplus when food-grain prices reached their peak. They held back the supply of grain to trading centers until prices rose, and restricted the supply to non-trading towns until prices there equaled those in centers of grain trade.[108] What is significant about such maneuverings is not that rich peasants and small landlords sought better prices for their produce but that they gambled for it even when acute scarcity prevailed and famines were not uncommon occurrences. Risking the surplus that they might have needed later if scarcity continued for several years, rich peasants and small landlords obviously hoped to make a killing during the famine years. If the next harvest fell short again, making their stocks inadequate for their consumption needs, they could use their famine profits to buy grain in the market. Otherwise they could continue accumulating grain and selling it at high prices. Such calculations demonstrate the market orientation of rich peasants and small landlords. Noting this trend, a report from 1927 said that "professional middlemen are not the only persons who realize that there is a good thing to be made out of holding up the grain for a favourable market, and not infrequently the landlords and the more substantial

[107] IOL: Bengal Scarcity and Relief Department Proceedings, P/212, File 13–198, Report from the Officer on Special Duty, Bhagalpur.

[108] NAI: GOI, RAD (Famine), December 1896, B Proceedings No: 21, letter from the Commissioner of Patna Division; and *Selections from Papers on Famine*, 131.

cultivators who can afford to do so and who have the necessary storage room do their own marketing..."[109] Shankar Mahto, the rich Koeri peasant of Bakraur, was one such peasant.[110] He ate and fed his family cheap grain and sold his stock of rice even during normal years. During famine years, he waited for prices to reach their highest level before selling his stock of paddy. His production for the market included sugarcane, for which he leased land at Rs. 10 per biga as cash rent, and garden crops which he sold in the bi-weekly market held at Bakraur.

Leasing and subleasing lands, hiring kamias and cultivating with family labor, Shankar Mahto was one of many rich peasants and monied capitalists seeking to subordinate the existing labor processes to the market. This was clearly at work in the successful challenge that sugarcane cultivation threw at opium. The cultivation of poppy in the nineteenth century under government monopoly depended on small Koeri peasants who worked with family labor. These peasants grew poppy because of the attractiveness of cash advances given by government agents. But the low price paid under the government monopoly and the labor-intensive nature of the crop made poppy cultivation possible only in family-labor-based households.[111] With the rise in prices of foodgrains and cash crops, opium cultivation rapidly lost out, and was replaced partly by sugarcane. From 70,800 acres in 1883–84, opium cultivation declined to about 45,000 acres in 1904–05; sugarcane during the same period increased from 13,000 acres to 30,100 acres. It appears that part of the increase in sugarcane cultivation was due to the irrigation facilities provided by the Son canal.[112] But the canal was not the only factor, as a report of 1879–80 on opium cultivation in Bihar pointed out:[113]

> In the districts to the north of the Ganges, indigo and potatoes are our chief rivals, whilst to the south sugarcane, always a very formidable opponent to our interests, is fast becoming so, not only owing to the greater facilities which the canal [Son canal] affords, but because sugar manufacturers both European and native have adopted our system of making advances.

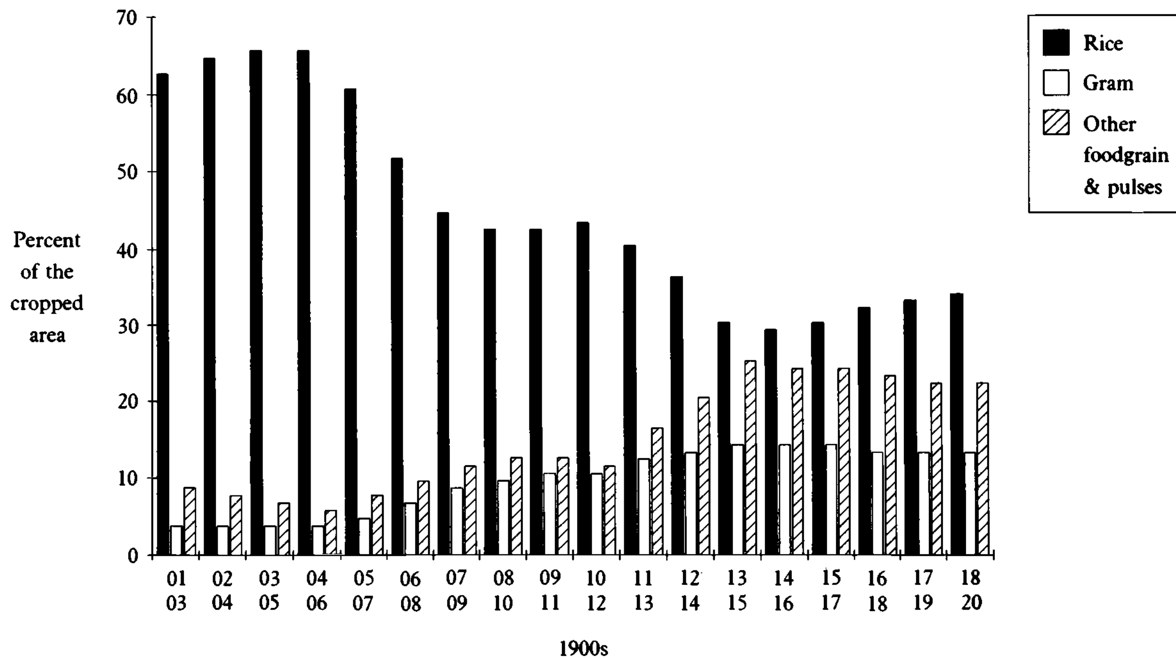
[109] BSA: GOBO, Education and Development Department (Agriculture), September 1927, Proceedings No: 22–26, letter of the Secretary, dated March 8, 1927.
[110] Oral testimonies of his son, Siyaram Mahto, Bakraur.
[111] *Bengal Opium Report*, 1902–03, letter from J. H. Kerr, p. 3; also for the year 1907–08, letter from S. Bhattacharjee, p. 2.
[112] *Bengal Opium Report*, 1883–84, Statement A in Behar Opium Agent's letter; and Table II in the report for 1904–05; *GDG*, 112.
[113] *Bengal Opium Report*, 1879–80, letter of the Behar Opium Agent, pp. 4–5.

In addition to the impetus provided by canal irrigation, the report added, sugarcane cultivation owed its growth to penetration of capital:

> Left to themselves, it was only the more well-to-do ryots [peasants] who could afford to grow sugarcane as it is a crop that occupies the land for the whole year, but when capital is introduced and advances given, owing to competition, at unreasonably high rates, the smaller cultivators with whom we chiefly have to deal can undertake it, and with the aid that is being afforded them are doing [so] very largely.

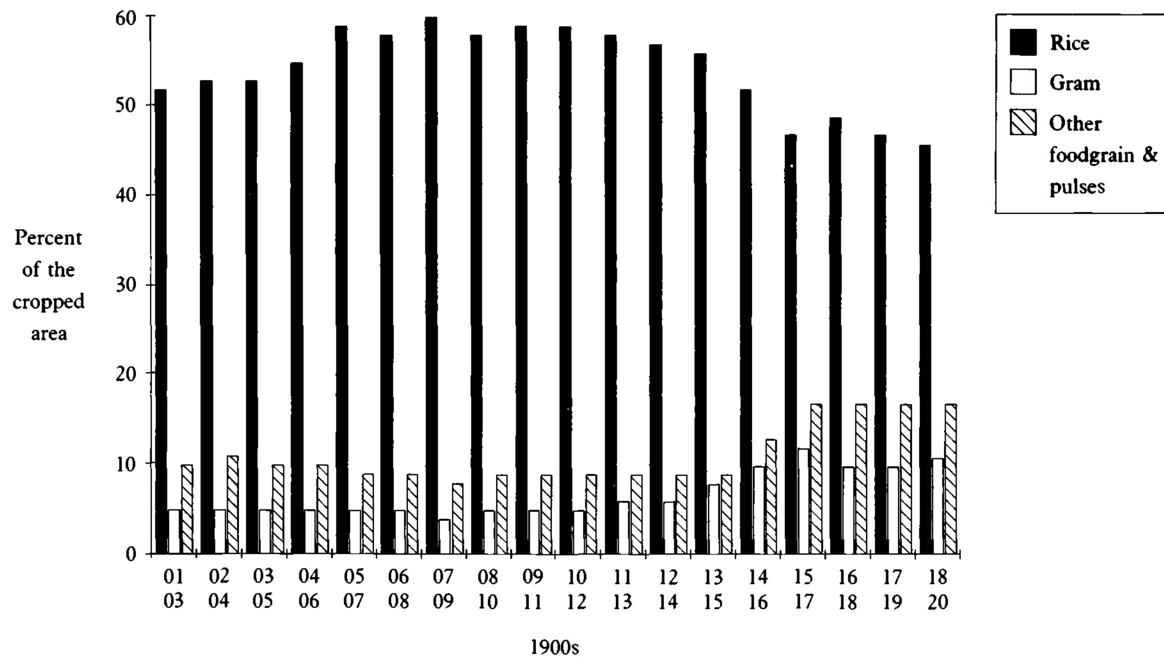
As with poppy, small peasants took to sugarcane using family labor. The production of cash crops in their case was brought on by their small holdings. The rich peasant involvement in the market and the drive to commute produce rents into cash, on the other hand, was based on control over land and went hand-in-hand with the move to acquire peasant holdings through sale, mortgage, and subleasing as under-tenants. Like zamindari, the acquisition of peasant holdings in the context of rising prices and integration of markets demonstrated that land control had become the key to agrarian class relations. Even if transfers touched only a fraction of peasant holdings, they nevertheless indicated the direction of agrarian change. They showed that, although the labor process in agricultural production had not changed to any great extent (peasant production was still predominant, subletting was still practiced, and kamias were still employed), class relations between different agrarian groups rested on differential access to land established through different land tenures.

The accumulation of peasant and zamindari titles driven by rich peasants and petty landlords, price-responsive commutation of rents and sale of grain, and subletting of lands and direct cultivation with kamia labor affected agrarian production deeply. This effect, however, is not readily apparent because, instead of a major diversification of cultivation in favor of cash crops, as our conventional expectations of commercialization envision, food crops remained overwhelmingly predominant in south Bihar districts. Rice continued to be the most important crop. This was not surprising in view of the fact that, with agriculture dependent on irrigation from the monsoon rain-fed channels and tanks, the winter crop of rice maintained its position as the most important, and spring crops continued to consist of cheap food-grains. But there was an important change. As Figures 3.2 to 3.4 show, the crop composition changed in favor of cheaper gram and pulses, beginning with 1914/15–1916/17 in Patna and Gaya, and somewhat earlier in Shahabad. The data raises two problems



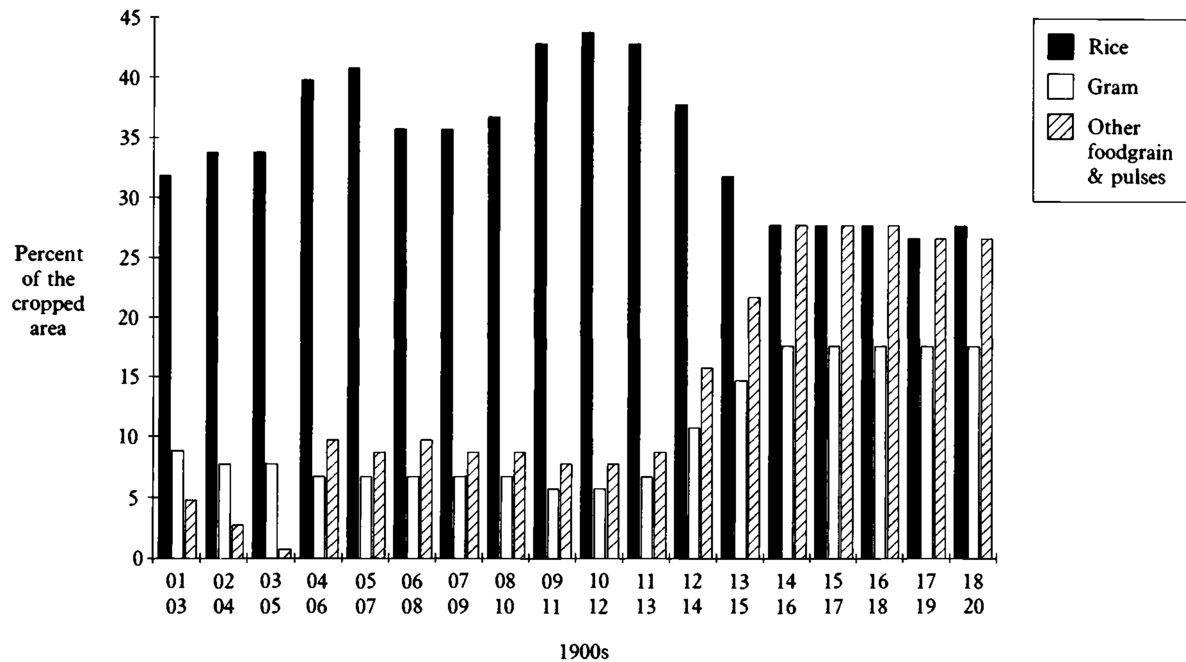
Source: *Season and Crop Reports*

Fig. 3.2. Three-yearly moving averages of crop composition in Patna, 1901–20



Source: *Season and Crop Reports*

Fig.3.3 Three-yearly moving averages of crop composition in Gaya, 1901–20



Source: *Season and Crop Reports*

Fig.3.4 Three-yearly moving averages of crop composition in Shahabad, 1901–20

requiring explanation: the long-term decline in the acreage under rice and the growth of acreage under cheaper grains and pulses.

As for the decline in rice acreage, basing his argument on George Blyn's study, A.K. Bagchi states that it was related to the declining yield of rice in Bihar.[114] According to Blyn, the decline in yield, in comparison to Bengal, was due to the downward trend in annual rainfall. There are two problems with this explanation. First, the decline in yield was a function of the change in the way standard yield was calculated. While the standard yield per acre for Bengal was lowered in 1912/13, it was maintained at the old level for Bihar. But even at the old rate of productivity, the yield in Bihar and Orissa was 84 percent and 92 percent for the periods 1912/13–1916/17 and 1917/18–1921/22 respectively.[115] Thus, the decline in yield in comparison to Bengal was fictitious – a result of changes in the criteria for measuring yield. The second problem with this argument is that it gives no explanation for the fact that rice acreage declined in south Bihar alone. If rainfall declined in Bihar as a whole, why did rice acreage in north Bihar remain unaffected?[116]

The reason for the fall in rice cultivation, as Nirmal Sengupta suggests,[117] lay in the gradual breakdown of the traditional irrigation system. While tanks were relatively easy to maintain, channels required coordination of several villages. Colonial officials pointed out that with the subdivision of zamindari estates, unity of control needed for maintaining channels which served several villages was extremely difficult. The reason why coordination became a problem at the turn of the century should be understood in the light of the fact that responsibility for providing irrigation came to depend on strictly defined landed interests in the nineteenth century. The indifference of a few zamindars who did not stand to benefit greatly by participating in the maintenance of an elaborate channel could cause problems in apportioning the cost of repair, and thus thwart the effort. After assisting extension and improvement of cultivation through much of the nineteenth century, when zamindars established direct control over their estates and zamindari rights became

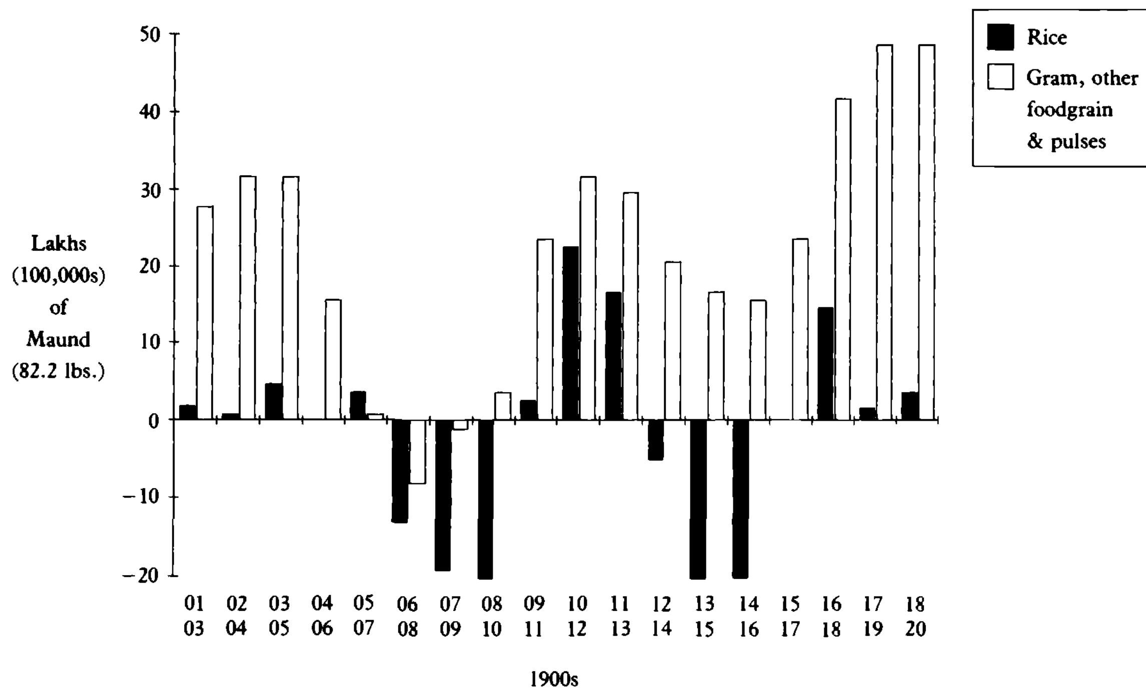
114 A. K. Bagchi, *Private Investment in India* (Cambridge, 1972), 107.
115 George Blyn, *Agricultural Trends in India, 1891–1947: Output, Availability, and Productivity* (Philadelphia, 1966), 174–76, 219–21.
116 The figures in *Season and Crop Reports* for north Bihar districts show that rice acreage rose slightly during 1901–21.
117 Nirmal Sengupta, "The Indigenous Irrigation Organization of South Bihar," 157–89.

substantive, the heightened consciousness of landed interests became an obstacle to the maintenance of irrigation.[118]

The effects of deteriorating irrigation facilities were compounded by other factors in triggering a long-term fall in rice acreage and raising the acreage under cheaper food-grains which required very little water. To begin with, irregular rainfall appears to have been the cause for the initial change in crop composition.[119] Thus, rice acreage began to fall along with the net cropped area, and the share of less valuable food crops started to rise with the increase in double-cropped area. But the later rise in the net cropped area in Patna, Gaya, and Shahabad districts did not restore rice to its previous position; instead gram, pulses, and other foodgrains increased at its expense. This growth in the acreage of cheaper foodgrains and the decline in rice cultivation – caused initially by irregular rainfall and made enduring by the deteriorating irrigation works – also appears to have been related to a new development in peasants' relationship to the market. This development found expression in the emergence of a positive relation between high prices and the sale of agricultural produce. Figures 3.5 and 3.6 together demonstrate this relationship over 1901–21, showing that, whereas in the early 1900s Bihar's position as a net exporter of gram, pulses, and other foodgrains was accompanied by relatively low prices, by the time of the First World War its high net exports of these foodgrains was matched by high prices. This was a marked change, for it indicated that the peasant's relationship to the market was no longer that of a subsistence farmer who is forced by fixed cash needs to sell more when prices are low and less when prices are high. By the teens of this century, peasants produced and sold with an eye to high prices. The close relationship with the market was evident in the fact that, whereas during 1906–10 irregular rainfall and the consequent shrinking of rice acreage had

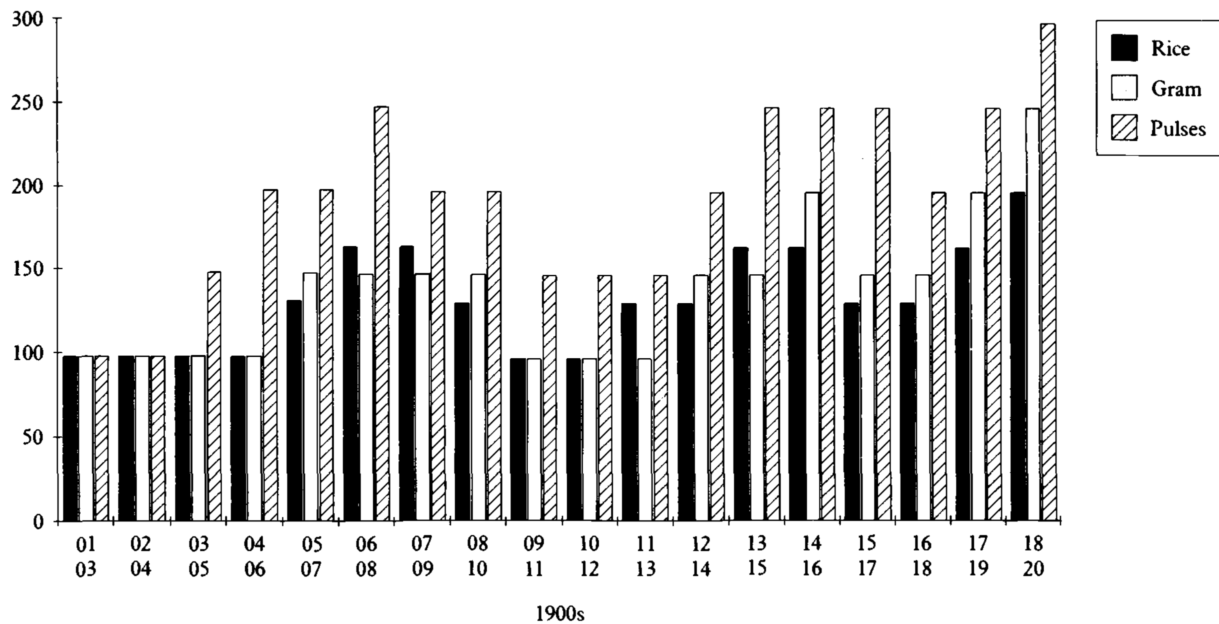
118 "The continued partition of landlords' interests renders the smaller landlords less able to perform the duties of capitalists as pictured by Dr Grierson, but in many cases what is required is not so much capital, as unity of control. One landlord owning many villages can get all the labour he wants by collecting his *raiyats* for irrigation work. Where several villages dependent on one *pain* belong to different landlords there is not this unity and the work is not done though produce rent is still collected." *GSR*, 108. Recent studies on Bengal agriculture also show that the Bengali landlords, faced with uncertainty in recouping their investment, became reluctant to invest in irrigation facilities during the early decades of this century. See Amit Bhaduri, "The Evolution of Land Relations in British India under British Rule," *IESHR*, 13, 1 (1976), 48; M.M. Islam, *Bengal Agriculture, 1920–1946: A Quantitative Study* (Cambridge, 1978), 193.

119 *Season and Crop Report for Bengal, 1907–08*, 1.



Source: *Reports on Trade Carried by Rail and River*

Fig.3.5 Net exports of selected agricultural commodities from Bihar, 1901–20



Source: *Prices and Wages in India*

Fig.3.6. Relative movement of wholesale prices of selected agricultural commodities in Patna, 1901–20

caused high prices and net imports, in 1917 Bihar found itself as a net exporter of rice although the acreage under this crop had fallen. In a context of deteriorating irrigation facilities and a somewhat sharper rise in the prices of gram, pulses, and other foodgrains (Figure 3.6), the emergence of a positive relationship between peasant producers and the market meant a long-term increase in the acreage of these crops.

What appears to have made the marked shift towards the market possible was the success that peasants met with in resisting the landlords' rent enhancements and in ensuring that they also benefited from high prices. Commutation of produce rents turned out to be the primary instrument for this peasant success. During the settlement proceedings in Gaya, roughly 4 percent of the produce-rent lands were commuted with over ten thousand cases still pending at the time that settlement operations concluded.[120] After 1910–11, appeals for commutation registered a rise all over south Bihar, and later inquiries revealed that 1915–30 was a period of rapid commutation of produce rents.[121] During the reign of high prices, revenue officials and courts relied on various crop-cutting experiments to determine the value of lands and commuted rents at rates much higher than those prevalent on comparable lands. As a result, in one Gaya village, for example, rates of rent following commutation were fixed between Rs. 13 and Rs. 15 an acre in 1921, and in 1926 the majority of commuted rents were fixed above Rs. 21 an acre, whereas the cash rate recorded for similar lands during 1911–18 was less than Rs. 7 an acre.[122] It seems clear that peasants with surplus were "influenced by the rising trend of prices of agricultural products, and they considered that on balance, they stood to gain, year in and year out, by accepting a fixed money rent instead of a variable produce rent."[123] What they did not bargain for was the landlord's lack of interest, following commutation, in maintaining irrigation works. Years later, the landlords' neglect of irrigation works following commutation was evident in many places.

The increasing commercialization of agricultural production did not necessarily indicate progress. Double-cropping had risen, but the more valuable rice had declined in importance. Crop composition was more diverse, but cheaper foodgrains were more important. If

120 *GSR*, 90. Although unsuccessful in 1911–18, the rich Koeri peasants of Bakraur continued to press for commutation. They were joined in the 1940s by their caste members and commutation of their rents was granted in 1947–48. See GCRR: "Rent Commutation Case No: 806 of the year 1947–48 under Section 40 of the Bihar Tenancy Act."

121 *GSR*, 118; *Final Report on Rent Settlement Operations*, 1937–41, by R. A. E. Williams (Patna, 1943), 35–40.

122 Ibid., 51. 123 Ibid., 39.

market involvement did not bring agricultural progress, it did not transform the labor processes in agricultural production either. Men like Pyare Lall, the monks of the monastery, and rich peasants like Shankar Mahto combined the use of kamias with a reliance on peasant household labor. Even cash crops such as opium and sugarcane were based on the mechanisms of rent and the labor process of a peasant economy. All this was accompanied by worsening landlord – tenant relations, saved from a total breakdown only by the reign of high prices that enabled the peasants to meet the landlords' increasing exactions. When prices slumped and the depression struck in the 1930s, it hit the peasants hard. While the government instituted rent-reduction settlements, the rich peasantry-led tenants joined peasants and national movements ranged against the government and the zamindars.

Conclusion

The 1930s depression closed a chapter in the transformation of the countryside that first became noticeable in the eighteenth century. The two centuries were by no means marked by a single steady change in one direction. The eighteenth-century tendencies towards reification of land rights enshrining social hierarchy were counteracted by opposite tendencies. Even the British conquest and Permanent Settlement did not immediately transform agrarian relations. The immediate difficulties following the introduction of the revenue settlement in 1793, the depression of the 1830s, and the collapse of Agency Houses acted against the development of an open land market. But over two hundred years, "land is to rule" was decisively replaced by "land is to objectify." Building on the legal and institutional foundation provided by the Permanent Settlement, the old intermediary zamindars utilized the opportunities afforded by the late nineteenth-century price rise and the increasing penetration of the market to transform themselves from revenue-collectors to rent-appropriating landlords. Unlike the pre-colonial period, when their drive to appropriate agrarian resources was based on coercive power and on a social hierarchy, zamindars extracted agricultural surplus in the late nineteenth century by using the title to lands given by the raj.

Wherever possible, maliks also acquired and used zamindari tenures. But by and large upper-caste maliks and low-caste rich peasants utilized a variety of other tenures to establish land control in order to resist the pressure of rent, to benefit from the opportunities

provided by the market and the price rise, and to exploit people below them. Through these processes, this class of village-level dominant groups, consisting of small landlords and rich peasants, became visibly refashioned by the end of the nineteenth century. The next two decades of this century, when the government carried out settlement operations in all the south Bihar districts, witnessed the consolidation of their position. They deluged the revenue officials with applications for commutation of their produce rents, and agreed to relatively high rates of cash rents because, in the long run, they hoped to benefit from rising prices. Their successful drive for commutation during 1915–30 marks an important watershed in the agrarian history of the region. For, even if in the short run the zamindars managed to extract high cash rents, a successful demand for commutation locked the landlord to a fixed cash income. But, more importantly, to make a demand for commutation in the face of zamindari opposition and be successful was a significant challenge to his dominance. Once achieved, commutation enabled the rich peasants to restrict the arbitrary exercise of zamindari dominance because the landlord could no longer use the usual methods of the produce rent system, such as overappraisement, to brow-beat him. Therefore, it is not surprising that the zamindars opposed commutation everywhere.

If the teens of this century marked the beginning of the end of the zamindari heyday and saw the class of rich peasants and small landlords make claims for dominance, these years also witnessed the forging of a closer relationship between agricultural production and the market. Peasants increased the cultivation of cheaper foodgrains when their prices rose at a relatively higher rate, and continued to sell and export rice out of Bihar even when the rice acreage fell because of deteriorating irrigation facilities. This increasing market orientation at a time when the crop composition and the technical supports of agriculture showed signs of retardation fits Christopher Baker's description of those stagnant "ancient" areas that, in his model, were interdependently related, as suppliers of food and people, to the industrial and frontier zones of Asia penetrated by capitalism. As long as prices reigned high, the effects of stagnation and retardation were obscured. But when these interdependent economies slumped into the 1930s depression and contracted, the effects of stagnation, compounded by the rise in population, were all too visible.[124]

124 Christopher Baker, "Economic Reorganization and the Slump in South and Southeast Asia," *CSSH*, 23, 3 (1981), 325–49. For a recent study of the changes in population, see Leela Visaria and Pravin Visaria, "Population (1757–1947)," *CEHI*, II, 463–532.

The role of land control had been central to this transformation of south Bihar into a stagnant but market-oriented society. In the process of acquiring and establishing land control, the zamindars, maliks, and rich peasants undermined the irrigation works, changed the crop composition, and advanced the extent and nature of their relations with the market. In the process, they also transformed themselves and the agrarian society. Built through the combination of administrative, economic, and social practices, framed by the rule of colonial records, and made visible by authoritative categories enshrined in colonial documents, south Bihar emerged as a region defined by its agro-economic features. When the depression struck in the 1930s, it marked the end of the story for which the eighteenth century had been the prologue. The nineteenth century transformed the old Magadh kingdom and the Mughal parganas and sarkars into south Bihar, changing lords into landlords, separating and pitting social classes against one another. The depression dramatically illustrated and established the fact that relations between people and a thing – land – had become the basis of relations between people.

4

Freedom found and lost

The great author of creation, matter, motion, and existence made all men equally free. By what act then can that freedom be forfeited or given up?

J. Richardson, Joint Magistrate, Bundelkhand, 1808.

...voluntary contracts of hire and service...whether the contract be for a limited period or for life, and whether the stipulated hire for service be wages or maintenance, such contracts are not deemed incompatible with the principles of justice and the laws of England...and by sanctioning them, it may be expected that the Hindoo practice of voluntary subjection to slavery, in times of famine and scarcity, will be converted into a condition more favourable to the servant and his family.

J. H. Harington, Judge, Sudder Dewanny and Nizamut Adawlut, 1818.

As agrarian relations were objectified in land, the kamias were subjected to a variety of practices that defined and documented them as persons who had lost their natural rights to freedom because of the innate power of money, grain, and land that they received from the maliks. Through the juridical representation of debt-bondage, the power of things enveloped the kamias into an economy of suspended rights, and turned them into bonded laborers. This development was emblematic of a profound historical transformation that first established freedom as the essence of humanity and then denied it to the kamias. The violence done to the kamias in this process did not originate in the translation of an indigenous term into English. Nor did it arise from language folding in upon itself and disguising the products of its interior discursive operations as representations of the real – a view that would require us only to reveal freedom and bondage as concatenating signs that owe their existence to the very being of language. In fact, the discourse of freedom was articulated and deployed by historical practices in a range of dispersed social spaces. Spilling and circulating from one space to another, thereby

linking them, the combined effects of the nineteenth-century practices involved in owning, objectifying, documenting, administering, and working the land and labor reconstituted the kamias into bonded laborers. No longer dependent subjects of superordinate patrons, they were enveloped in a system of restrictions and prohibitions of rights, and ordered and controlled as unfree laborers whose relations with their employers were founded on money alone. But this dazzling power of money – capable of reducing freedom to unfreedom – did not establish free labor. Because the fetishism of money was revealed through the juridical representation of debt-bondage, the kamias were reconstructed as the Other of free labor. Therefore, at the same time that the power of things appeared to be the basis of social relations, the kamias were dominated as dependent laborers. While the power of things wrenched the kamias free of their moorings in the pre-modern hierarchy, the juridical notion of debt-bondage inserted patriarchal ties in kamia–malik relations. Whereas as debt-serfs the kamias were extricated from the corporeal implications of slavery, their subordination as persons with suspended rights ended up anchoring practices that dominated the kamia bodies. The effect of an authoritative juridical discourse that wrapped the kamias in a system of restrictions and prohibitions, therefore, was to enable non-juridical forms of domination.

The articulation of this authoritative discourse, however, meant subordinating and silencing discordant voices, and making them speak the language of freedom. The objectification of agrarian relations in land, described in the preceding chapter, was an important element in this process. As land became the object through which social groups formed themselves and their relationships, hierarchy and graded ranks were replaced by free individuals marked only by their differing property claims. These claims were established and put to work in the nineteenth-century recovery and extension of agriculture the stabilization of landed property, and the integration of agricultural production with the market. Without a control over labor, however, these developments would not have occurred, or at least not in the form that they did. Unaccompanied by any major improvements in the technical organization of production, agricultural growth and commercialization relied on labor-intensive methods. The maintenance of existing tanks and canals and the construction of new ones, the sowing, transplanting, nurturing of paddy and the reaping, threshing, and winnowing of the crop in old and newly developed areas, the penetration of agricultural production by market relations and the intensification of these relations even when

irrigation facilities deteriorated – all depended upon the intensification of labor exploitation. If, in the case of the peasants, the emergent landlord – tenant laws provided the framework for this exploitation, in the kamias' case debt-bondage was the juridical expression of the power of things.

Reconstituted juridically as laborers bonded by debt-bondage, the kamias were extricated from that other negativity that British rule had also created. As this Other, opposed to the British Self, India was that swamp of caste taboos and customs where people, soaked in religion, were entangled in unchanging traditions. But debt-bondage freed the kamias from this otherness, and made them the Other of capitalism–bonded labor. Discovered, documented, legislated, and administered by colonial officials, debt-bondage was worked into the kamiauti transactions made by kamias and maliks. Money, grain, and, sometimes, a small plot of land, given to the kamia in these transactions appeared as loans that required him, in return, to work for the creditor. Once expressed as loans, the power of things given in these transactions permeated all areas of kamia social life, foreshadowing all its spaces. Under this shadow of debt-bondage, the economy of suspended rights made the kamias subject to material, symbolic, and ritual domination.

The otherness of bondage

The transformation of the kamias is made visible to us by colonial documents. They appear as bonded laborers because the kamiauti advances were documented, and the kamias were recorded as persons bound to labor because of their indebtedness to the masters. In colonial documents, therefore, we find a history already written, a text already in existence. The context for this text, however, was set by the Self–Other opposition articulated by British rule. Construing themselves as rulers faced with a country mired in alien religions and customs, the British attempted to reconcile this opposition by pledging to respect the Indians' right to the "free exercise of their religion" while introducing "religious and moral improvement."[1] Exemplifying this attempt at reconciliation, the British encouraged the abolition of slavery while protecting the right of local religions to maintain and sanction servitude. But the indigenous slavery that they found was marked by a double otherness: first, because the otherness

[1] IOL: Cited in Bengal Judicial Consultations (Criminal Judicial), P/137/57, No. 14 [hereafter BJC (CJ)].

of India was defined in relation to the project of "religious and moral improvement"; and second, because indigenous slavery was construed in terms of the bondage – freedom opposition. Caught in this double determination, the kamias' documentation as bonded laborers could be accomplished only when the otherness of India was subordinated to the otherness of slavery. For it was only when, rescued from their religions, Indians were incorporated as a part of humanity that the kamias could appear as men bonded by their debts alone. It is only then that the abolition of slavery, together with its association with corporal forms of domination, could clear the way for a "gentle" form of domination based on the power of money alone. Such a subordination occurred over the nineteenth century as the British, beginning with discovering and regulating its indigenous forms during the 1820s–30s, abolished slavery in 1843. In this process, the kamias were uprooted from the indigenous otherness, and turned, by the late nineteenth century, into innately free persons bound into servitude by indebtedness.

The story of the kamias' transformation into unfree laborers begins in the late eighteenth century when the British first began to find and regulate slavery. Following the direction of the Governor-General, Warren Hastings, the Provincial Council at Patna issued a declaration in 1774 stating that the right of masters over their slaves should not extend beyond a generation.[2] Although directed at slavery in general, missing from this declaration, and from the discussions surrounding it, was any specific reference to the kamias. Instead, the Council only identified two other forms of slavery – "Moolazadeh" and "Kahaar." The first, according to the Provincial Council, involved the Muslims and was identified with the enslavement, following military conquests, of war captives. The second, on the other hand, concerned the Hindus and referred to the property in a group named and ordered by the caste system as palanquin bearers. But whether enslaved by conquest or purchase, these people were defined as slaves because they lacked freedom. And any variation in the conditions of slavery, therefore, became intelligible only in reference to this condition of unfreedom. Thus, referring to the Kahars, the Council remarked that while they "belong[ed] to one person or another," they were "allowed to intermarry & labour for themselves and at their own discretion, almost as if no bondage existed." The equation of slaves marrying and laboring "at their own

[2] IOL: BRC, August 16, 1774, No. 442, letter from the Provincial Council at Patna to Warren Hastings, dated August 4, 1774.

discretion" with "almost as if no bondage existed" is significant because this formulation constituted slavery as unfreedom so that any deviation from slavery could be sketched only in relation to that state of bondage. Later, these deviations were to be arranged into a continuum of conditions lying between the two extreme ends. It is important to note, however, that the possibility of formulating such a continuum was already implicit in the freedom–bondage opposition. Indeed, this possibility was even partially realized in the expression used to describe the Kahars' condition – "almost as if no bondage existed."

Just as the Patna Council anticipated the later construction of a continuum of conditions extending from freedom to slavery, it also initiated the process of outlining Muslim and Hindu forms of enslavement. It was thus that the Council adumbrated the later placement of one otherness – slavery – into another constructed otherness – of Indian religions and customs. The discovery and construction of Hindu and Muslim texts supporting and regulating slavery received considerable momentum from the chain of events triggered by the 1808 letter of J. Richardson, Joint Magistrate, Bundelkhand, to the judicial authorities in Calcutta. Although a relatively minor official, working hundreds of miles westwards from the center of colonial officialdom, his letter assumed tremendous importance because it initiated a series of actions concerning slavery. In this letter, written in March 1808, Richardson denounced the existence and the tolerance of slavery in India. Stating that slavery constituted an "infringement of the Law of Nature," he argued that "no human laws are of any validity if contrary to this, and such of them as are valid derive all their force, and all their authority mediately or immediately from this original [natural law]."[3] Alien to natural laws, slavery, he argued, obstructed progress and prosperity. If slavery was abolished, the female slaves, for example "would become useful members of the community and add to the prosperity of the State by the increase of their species. They would marry industrious labourers and mechanics and numbers would escape being exposed to the venal and promiscuous intercourse of sexes, which is highly prejudicial to the population." Implicit in this statement was the belief that natural laws were required to control nature itself. Without it, people were exposed to venal promiscuity "highly prejudicial to the population." If slavery subjected the women to unrestrained sexuality, slavery in

[3] IOL: BJC (CJ), P/132/21, March 15, 1816, No. 47, letter from J. Richardson, Joint Magistrate, Bundelkhand, dated March 23, 1808.

southern south Bihar and Chota Nagpur also caused "the wild, and uncultivated condition of the country, and the barbarous, and savage state, of its inhabitants, for what human being will labour with goodwill, or desire of improvement, where another enjoys the sole produce." Citing Hume, he went on to demonstrate the benefits of free labor by showing how voluntary servitude, as opposed to slavery, permitted the operation of the market mechanisms and promoted prosperity, population growth, and industriousness.

In April, 1808, upon receiving Richardson's letter, the supreme civil court at Calcutta, the Court of Sudder Dewanny Adawlut, addressed a series of questions to the Hindu and Muslim clerics attached to the court. Made complicit in the formulation of authoritative Hindu and Muslim laws on slavery, these officers sent in replies that reaffirmed the centrality of the freedom–bondage opposition in the colonial discourse. Stating that "All men are by nature free and independent," the Muslim *mufti* (theologian) said that only infidels captured by the faithful could be subjected to slavery.[4] The Hindu *pundits* also contributed to the elaboration of an indigenous discourse on slavery by identifying fifteen categories of slavery permitted by religious authorities. These included those bought, donated, inherited, indebted, taken captive in war, and offered in servitude without any compensation or return. Although, unlike the Muslim mufti, the Hindu pundits did not make any explicit reference to freedom as man's natural condition, it is clear that the fifteen categories, marked by widely different conditions, were brought together in opposition to freedom. Thus formulated, the replies of the Muslim and Hindu clerics to the questions put by the judicial authorities at Calcutta were forwarded to Richardson, asking him if, in the light of Hindu and Muslim laws on slavery, any reform of rules and procedures was required. In response, expressing his disappointment that the Court of Nizamut Adawlut (the highest criminal court) had not formulated a resolution on the abolition of slavery, Richardson commented on the Muslim mufti's and the Hindu pundits' statements and proposed a series of regulations designed to ameliorate the slave's condition.[5] He also argued that only Muslim law on slavery should be applicable because the British had taken over from a Muslim government.

No legislative action resulted from the official deliberations initiated by Richardson. In fact, the Court did not even forward his

4 IOL: BJC (CJ), P/132/21, March 15, 1816, No. 48–50.

5 IOL: BJC (CJ), P/132/21, March 15, 1816, No. 52, letter from J. Richardson, dated June 24, 1809.

correspondence to the Governor-General until 1816. The government's response was to order the courts to maintain a register of slaves.[6] The more important consequence of the renewed focus on the issues raised by Richardson's letter and the related correspondence was that it reaffirmed and furthered the process of constructing indigenous laws on slavery. The most immediate expression of this process can be found in the minute written by J. H. Harington, the Chief Judge of the Sudder Dewanny and Nizamut courts. Written in 1818, his minute, and the rules that he advocated for guiding the courts, incorporated many of Richardson's proposals for improving the slave's treatment.[7] But in opposition to Richardson, he argued that both Hindu and Muslim laws on slavery be applied. This was because, while he concurred with Richardson that slavery had "an immediate connexion with religion," the government was bound by the 1798 ruling of the Sudder Dewanny Adawlut that "the spirit of the rule for observing the Mahommedan and Hindoo laws was applicable to cases of slavery."[8] In other words, while the project of introducing "religious and moral improvement" required the outright abolition of slavery, the government was pledged to treat all native religions fairly and equally. But this meant that ameliorating the slave's condition could be undertaken by regulating only those areas where Hindu and Muslim laws were silent or where the actual practices were contrary to the religious laws. This necessitated an authoritative interpretation of the native religious laws – a process already initiated in 1774 and carried forward subsequently by involving the Muslim mufti and the Hindu pundits – as well as regulating the corporeal aspects of slavery.

Although the arguments for particular interpretations, favoring outlawing certain practices of ill-treatment of slaves, proposed by Richardson and Harington fell on deaf ears, the job of constructing and administering authentic Hindu and Muslim religious laws on slavery went ahead. In the first four decades of the nineteenth century, colonial scholars translated, printed, and interpreted Hindu and Muslim religious texts and made them available for locating the indigenous laws on slavery.[9] This was not a matter of simply

[6] IOL: BJC (CJ), P/132/21, May 24, 1816, No. 46, letter from the Secretary to the Government, dated May 24, 1816.

[7] IOL: BJC (CJ) P/137/57, December 29, 1826, No. 14, Minute of J. H. Harington dated November 21, 1818.

[8] Harington also cited the pledge made by the Governor-General in Council on April 21, 1793 in support of his argument that the government could not but enforce Hindu and Islamic religious codes.

[9] These included H. T. Colebrooke's *A Digest of Hindu Law on Contracts and Successions*, 3 Vol. (Calcutta, 1801). It is worth noting that the fifteen categories

re-presenting laws that were already in place. Take, for example, the Hindu laws on slavery. These were found primarily in Narada's texts, translated in H. T. Colebrooke, *Digest of Hindu Law*. The fifteen classes of "slaves" found in Narada's texts by the British scholar-officials and the Hindu pundits were actually called dasas, whose condition in the text was distinguished by the fact that they were required to perform ritually polluting labor. Basing the classificatory system on the nature of work that people were required to perform, the dasas were distinguished from *karmakaras* who were assigned only non-polluting tasks. This occupational classification, however, was appropriated by the colonial discourse of freedom, so that the identification of different groups by the ritual rank of their assigned work was made tantamount to the freedom–unfreedom divide. Thus interpreted, Hindu texts were made to speak of dasas as slaves, that is, as unfree persons. The case of constructing an authentic "Mahomedan" law on slavery illustrates similar tendencies. The British printed, translated, and interpreted Islamic texts on slavery and made their pronouncements on the master's dominion over the slave synonymous with unfreedom. Interpreting the rights of dominion to mean the suppression of freedom, religious treatises outlining procedures for the slave's emancipation from the master's right of life and death over the slave were treated as instruments intended to *restore* the *lost* freedom. It was not surprising, therefore, that no one expressed any surprise when the Muslim mufti, made complicit in this enterprise, stated in 1809 that "All men are by nature free and independent..."

But the formulation of Hindu and Muslim laws of slavery in relation to freedom had contradictory implications. On the one hand, the supposedly religious roots of slavery expressed Indian "temperament." On the other hand, the fact that these laws provided for the enslavement of persons regarded innately free by the colonial discourse meant that Indians could not after all escape the application of "natural" laws. Entangled in this conflicting practice until slavery was abolished in 1843, the British both tolerated religiously sanctioned Indian slavery and applied laws that were deemed to be humane and just. There were high officials, such as J. H. Harington, who, like Richardson, believed that religion had very little to do

of slaves mentioned by the Hindu pundits attached to the Calcutta court, and cited above, appeared in print for the first time in Colebrooke's compilation of Hindu texts (vol. 2, 321–40). This suggests that, although the Company officials considered this description authentic because they were enunciated by the Hindu pundits, the visibility of these fifteen classes of slavery was the result of the British discovery of classical Hinduism.

with slavery but were willing to respect religious laws so long as the government introduced certain reforms in order to restrict the cruel treatment of slaves. There were other officials, however, who argued that, however repugnant, "the practice of domestic slavery is too much interwoven with the habits and feelings of the natives to admit of a sudden suppression, without creating extensive and well-founded discount."[10] Henry Colebrooke, a respected Orientalist and official, had also argued in 1812 that, because Hindu and Muslim laws sanctioned slavery, it would be rash to abolish it. And, as for restricting cruelty towards the slaves, he argued that in India the "mildness and equanimity of the Indian's temper (or his apathy and slowness, if this better describes the general disposition of the people) contribute to ensure good treatment of the slave."[11] For Colebrooke, the indigenous roots of slavery and its mild form meant that:

> great circumspection will be requisite to avoid exciting alarm by empowering courts of justice or any official authorities to meddle with so delicate a matter as the relation of master and slave in an Asiatic country, in any but extreme cases, where humanity indispensably requires the rescue of a fellow-creature from barbarity; and the interposition of the British Legislature is to be deprecated in an affair needing a cautious hand, which should be guided by local knowledge and mature deliberation, upon a near view of the probable effect of the proposed measure in a country and among a people so peculiar as this...

Caught between constituting the Indians as the "peculiar" Other and treating them as "fellow-creatures," the colonial enterprise of finding Indian religious laws sanctioning the enslavement of innately free persons engendered contradictory practices. While the stated intent of the Governor-General's policy, declared in 1826, and invoking the authority of Colebrooke's Orientalist knowledge, was non-interference, the actual picture was quite different. As the *Report from the Indian Law Commissioners*, appointed in 1835, revealed in 1841, local officials had all along been administering Hindu and Muslim laws while also applying principles of "equity and justice."[12] It is significant that the local judicial officers did both these

10 IOL: BJC (CJ), P/137/57, December 29, 1826, No. 15, Observations by Mr Adam.
11 IOL: BJC (CJ), P/137/57, December 29, 1826, No. 15, Minute by Colebrooke.
12 *Report from the Indian Law Commissioners* (hereafter *ILC*), 54–55, in Parliamentary Papers, 1841, 28 (262), *Slavery (East Indies)*. The practices of British judges in this context were compiled and codified in W. H. Macnaghten's *Principles and precedents of Hindu Law, and a Selection of Legal Opinions Delivered in the Presidency of Fort William*, 2 vols. (Calcutta, 1829).

things without any explicit direction from Calcutta. The only guidance they had from the top was the Company's pledge to respect Indian religions while introducing "moral and religious improvement." With this limited guidance from above, judicial officers at the district level entertained and adjudicated cases that decided and constructed the legality of slavery. In Behar district (composed at that time of parts of the later Gaya and Patna districts), for example, in the 71 civil and 72 criminal cases that were tried between 1825 and 1835, the courts "recognized generally the rights of masters over their slaves, to the extent of enforcing any engagements voluntarily entered into by parties, according to the customs of these parts, and provided they be not repugnant to the feelings of a British judge."[13] This combination of respecting local customs and religions and enforcing contracts "voluntarily entered" so long as these did not offend the judges was a widespread phenomenon. The Additional Judge of Behar, for example, reporting that he recognized fifteen categories of Hindu slavery and the enslavement of infidels authorized by Islam, said that he did not exempt the master from the application of the criminal code when he ill-treated his slaves.[14] The Officiating Judge of Shahabad concurred with this practice:[15]

> Bound as we are to administer to the natives their own laws, I should consider myself compelled to recognize the rights of masters over slaves and their property, agreeably to Hindoo and Mahomedan laws, as the case may be, provided that no right was claimed inconsistent with the proper, that is, kind treatment of the slave.

The Judge of Patna, who had considerable experience in adjudicating cases concerning slavery, stated that he had settled numerous disputes over the possession of slaves in Behar district where "claims and action for slaves were as common as those for any description of property..."[16] He found discovering religious laws extraordinarily difficult. Thus, the only thing he found to go by was local "prescriptive usage, modified and limited by occasional edicts issued by the civil authorities," that both master and slave looked upon as the only law. Applying this form of law, he dismissed the masters' suits against slaves when he found evidence of cruel treatment because "Mahomedan law and practice, is simply to preserve life."

Although through such interpretations, judges and magistrates in the districts found a way to administer laws of "equity and justice,"

[13] *ILC*, Appendix II, No. 73, 318–20. [14] *ILC*, Appendix II, No. 73, 318.
[15] *ILC*, Appendix II, No. 77, 323. [16] *ILC*, Appendix II, No. 75, 321.

they found their hands tied by the need to respect Indian religions. In doing both, however, their actions had three important effects: first, they helped create an indigenous "tradition" of slavery; second, by hedging and regulating slavery by "just and equitable principles," so that it was not "repugnant to the feelings of a British judge" and consistent with "proper, that is, kind treatment of the slave," they juridically privileged non-corporeal slavery; and third, their actions created a "voluntarily entered" bondage as a position in the continuum between slavery and freedom. All judges exempted these instances of voluntary servitude from the application of Hindu or Muslim laws because it was believed to be in conformity with laws of contract. Moreover, because this bondage was founded on a voluntary sale or lease contract, the slaveowners' power over the slaves' bodies did not apply to this condition. But until slavery was abolished, these voluntary forms of "gentle" bondage could not become debt-bondage. For it was only when, notwithstanding indigenous laws, slavery was outlawed in 1843 that, emerging from the shadow of slavery, the money and other things given to the kamias could become a loan, and kamia–malik relations could become debt-bondage.

The power of things

It is true that things given to the kamias could reveal their power to bind people only after the bonds of slavery were denied religion's support and abolished. But it is equally true that the chain of events triggered by Richardson's letter in 1808 helped prepare the documentation of the kamias from the mid-nineteenth century onwards as innately free persons bonded by debts. Because these events turned the spotlight on kamia–malik relations and made them appear as slave–master ties without corporeal domination and resting on contracts alone, the ground was prepared for the juridical constitution of the kamia–malik relations as debt-bondage. Once the juridical gaze had fixed on things given by the landlords to laborers, the power of things could be represented in terms of debt-bondage. Perhaps more than any other single document, the *Report of the Indian Law Commissioners* in 1841 was responsible for this process, for it provided the first authoritative focus on kamiauti transactions.

While documented most authoritatively in 1841, kamiauti transactions had already formed the centerpiece of Francis Buchanan's description of the kamias during his survey of south Bihar districts in 1809–12. Unavailable in print until somewhat haphazardly edited

and published in 1838 by Montgomery Martin as *History, Antiquities, Topography, and Statistics of Eastern India* in three volumes, Buchanan's reports contain the earliest surviving detailed written account of kamias.[17] In these reports we get the first description of transactions between kamias and their employers. Writing about the southern part of Bhagalpur district (where he first came across these laborers), Buchanan noted that in return for cash advances of Rs. 5 to Rs. 20, kamias worked every ploughing season for the landholders and received three seers of coarse grain per day for the time they were engaged in agricultural work.[18] In Patna and Gaya districts, he found that, in addition to cash advances, kamias sometimes also received a small plot of land, from 5 to 20 kathas (3/20 to 13/20 of an acre). They cultivated these lands with their maliks' ploughs, but had to supply seeds themselves and paid half the produce as rent to their masters. These kamiauti transactions involving money, grain, and land were not new. Buchanan was told that "in some places in the district [Patna-Gaya]...within the memory of man the price necessary to be advanced to servants [kamias] has doubled. Formerly, no one gave more than 20 rupees; now they are content to give 40."[19] The reference to the increase in the amount of money advanced "within the memory of man" implies that the practice of advancing money to kamias was in existence for some time. It can be inferred from Buchanan's statement that the practice went well into the eighteenth century, but there is no reason to assume that it was not of greater antiquity.

But, irrespective of its antiquity, the beginning of kamiauti's documentation in the early nineteenth century initiated its objectification in a body of records that, in turn, revealed the history of kamia–malik relations in terms of transactions of things. Available to the Indian Law Commissioners in manuscript as well as through Montgomery Martin's edited volumes, Buchannan's reports on kamias entered an authoritative body of colonial documentation on slavery. His observations on kamias were organized in the *Report* under a section entitled "Conditional Slavery and Bondage." There, Buchanan's descriptions of kamiauti advances in Bhagalpur, Patna–Gaya, and Shahabad were cited as examples of conditional slavery.[20]

[17] Until Buchanan's reports were published in the early part of this century, his manuscript in London and Martin's edited volumes (London, 1838) remained the most readily available and frequently cited source descriptions of early nineteenth-century Bihar.
[18] *BR*, 468.
[19] *PGR*, II, 556. [20] *ILC*, 48.

While focusing on "loans," Buchanan's descriptions cited in the *Report* suggested a much more flexible system than the focus on kamiauti transactions warranted:

The plough-servants (Kamiyas) in these districts are exactly on the same footing with those in the part of Bhagalpur that belonged to Behar... The chief difference that I observed was, that in many places the son was considered bound to repay the money advanced to his father, even should the effects left on the parent's decease be far less in value than his debts. This seems to be an extreme hardship, reducing the whole of this class to a condition little better than that of slavery, and ought to be declared totally illegal.

What is worth noting here is that while Buchanan gave these advances a central place in the kamia–malik relations, not everywhere were these regarded as instrumental in kamias' long-term relations with the masters. Even more flexibility than the Patna–Gaya description is provided by his report on Shahabad:

In Shahabad, the (free) plough servants (Kamiya or Horoya) are much on the same footing as in Behar, only that the system of making advances is confined to the vicinity of Arrah, and there varies from 5 to 20 rupees; but, even there, I do not learn that the son was held bound for advances made to the father, although part of the debt is often no doubt incurred on the son's marriage.

This depiction of regional variation in the influence that advances of money had on the bounds between kamias and their employers complicates what Buchanan's focus on such advances sought to accomplish. For, if the purpose of this focus was to explain the long-term ties between kamias and maliks, what are we to make of the observation that while in Bhagalpur the advance of money bound the laborer only for his lifetime, hereditary bondage followed money advances in many places in Patna and Gaya districts? And what shall we make of Shahabad's description where Buchanan added the word "free" in parenthesis to plough-servants when referring to the kamias, and said that the practice of making advances was confined to Shahabad? All these differences acknowledge not only that kamia–malik relations were not always conditioned on kamiauti advances but also that money had varied effects. By recognizing that money did not have uniform effects, however, Buchanan's description tacitly questioned its own premise that money caused bondage. Because he described a range of results following the advances of money, Buchanan's description, militating against its own assumptions, suggested that the objectification of kamia–malik relations in

monetary exchange was far from a complete process in the early nineteenth century. Rather than money exercising its inherent and uniform power, the kamias and maliks could work out precisely how long money could bind them. This meant that they could also establish long-term relationships without founding them on money, as was implicit in Shahabad's description and as other records of this period also indicate. Thus, referring to southeastern Gaya, a report of 1820 said that "ploughing, weeding and irrigation are effected by the 'Moosher' [people of the Musahar caste, who, according to several traditions, are connected to the Bhuinyas] or laborer, who resembles a slave in every respect, except that of being at liberty to reside where he pleases."[21] Writing about their conditions, it went on to report:

least in estimation and lowest in circumstances comes the "Moosher" or labourer. His lot is truly deplorable. In some pergunnahs, he receives 3 seers of kutcha [uncooked] grain & in some others, 1½ seers during the eight months of the year there is work for him. During the remaining months he has no fixed source of income... The "Moosher" is entitled to "Ukusce" [?] or one bundle in 21 of the crop he cuts, and his family have the right of first gleaning the field he reaps.

It is obvious from the similarity this report saw between the "Moosher" and slavery that it was speaking about kamias. The special relationship of these laborers with their landholders gave them gleaning rights as well as harvest wages ("one bundle in 21") which were typical of the kamia's position. But significantly enough, there was no mention of advances of money as the cornerstone of the labor relationship.

The *Report from the India Law Commissioners*, however, suppressed the ambiguities contained in Buchanan's reports. The interpretation following from this suppression appears to be at odds with the 1820 document cited above, as well as with other extant descriptions of kamia–malik relations. For example, an account from the early nineteenth century described the kamias in the following terms:

The household of the Raja [in Palamau], and every considerable jageerdar, was a perfect feudal establishment. It was a matter of pride to be surrounded by a train of "*burkundauzes*" (guards), "*fakeers*" (devotees), "*shikarees*" (huntsmen), and "*bhats* and *bad feroshes*" (family poets and bards), and a still larger retinue of *serfs* called *Kumeas,* whose state of bondage is the

[21] BSA: PCR, vol. 8 (1820), Report from the Assistant to the Board of Commissioners on Deputation, dated February 9, 1820.

counterpart of the condition of the *servi* of the eighth and ninth centuries in Europe.[22]

The comparison of the kamias' bonds with the masters with the serf's relation with the lord in medieval Europe clearly indicates an awareness that feudal ties of dependence were far more important to the kamia–malik relations than monetary transactions. But having made the observation that the kamias' long-term ties with the maliks were founded on ties of dependence, the above account went on to describe these serf-like bondsmen as slaves through whom "throughout some districts [western Bihar and Benaras] the labors of husbandry are chiefly executed."[23] This grouping of serfdom with slavery articulated the free–unfree conception that structured the colonial descriptions: a serf was like a slave insofar as both, in opposition to the free laborer, were marked by bondage. This conception deflected the attention away from the specificities and diversity in kamia–malik relations and predisposed the colonial discourse to search for diversity in terms of the degree of unfreedom. This is evident in the *Report*'s suppression of all inconsistencies in its debt-bondage view, and in its arrangement of all variations in terms of the length of servitude–variations that it explained by referring to the terms of formal contracts.

Take, for example, the three different categories of laborers that the *Report* documented as "conditional slaves."[24] All three were called kamias, they formed a major part of the agricultural labor population in south Bihar and Chota Nagpur, and they belonged to the "outcaste tribes of Bhooyian, Rajwar, Ghatwar, Turi, Bokta [Bhogta], Cole [Kol] and Sontal." What distinguished these kamias from other slaves was the fact that their servitude originated in "voluntary" contracts, and what demarcated the kamias into three groups was the fact that their contracts bound them for different lengths of servitude. The first category of laborers was composed of "absolute slaves, having sold themselves, or having been sold when children by their fathers." Such a laborer had two bighas of land, he used his master's bullocks to plough the land, and was given seed-grain by his master who also clothed him. He and his wife were paid wages for their work on the malik's fields, and they received an extra allowance when they harvested his crop. These laborers were distinguished from the second category of kamias who had executed

22 Adam, *Law and Custom of Slavery*, 136.
23 Ibid., 164.
24 *ILC*, 44–47, and Appendix II, No. 64, 311–12.

sale deeds pledging themselves but not their children into servitude. The master fed and clothed him, and met his marriage expenses. These laborers were distinguished, in turn, from the third category of kamias who, in return for an advance of money, pledged to labor for the lender until the money advanced was repaid. These laborers were also paid wages, given two bighas of land, and clothed by the malik. The property of these laborers, as well as that of the second category of kamias, was their own, and it devolved on their wives and children when the kamias died, even if the heirs belonged to other masters. The most striking element in the description of the three categories of laborers is that, except for the length of the servitude stipulated by the contract, the conditions of bondage were remarkably similar for all kamias. And as far as the length of servitude is concerned, colonial officials were aware that non-hereditary bondage was a fiction maintained only in legal documents, and that the kamia's descendants also became kamias. It is for this reason that the *Report* classed all of them as slaves. Convinced, however, of the power of things enshrined in "voluntary" contracts, the *Report* sought the explanation for the kamias' servitude in transactions of money, and saw variation only in terms of the length of servitude. In addition to including Buchanan's descriptions of kamiauti advances, it cited the testimonies of witnesses who spoke of enslavement that the kamias contracted in illustrating "conditional slavery." But why was it that the kamias executed contracts stipulating servitude for a limited period when their relations with the maliks were often hereditary? As the *Report* itself revealed:

> A general impression also exists in the province [Bihar], that the sale of slaves is prohibited, which is said to have arisen partly from the provisions of Regulation X of 1811 [banning slave imports], and partly from some recent decisions of the Court of Sudder Dewanny Adawlut, and the form of lease is resorted to for the purpose of evading the supposed prohibition.[25]

The *Report* went on to add that in "Tirhoot, the period of 60 years is usually adopted in such leases, and this is stated to have originated in a misapprehension of the rule contained in clause 3, section 3, Regulation II, 1805, fixing that period as the extreme limit of time for the cognizance of civil suits." Such misapprehensions were not accidental. The courts' enforcement of contracts, so long as the slave's bondage was conditional, meant that the kamia – malik ties had greater chances of passing the test of colonial laws if they were documented as debt-transactions. The Patna Judge himself provided

[25] *ILC*, 14.

examples of this practice when reporting his rulings on disputes over laborers bound to serve for 90 years by the lease deeds they had executed. He ruled that the minors bound by such contracts could free themselves if, treating these lease deeds as loan documents, they paid the money advanced, with interest, to the master.[26] Undoubtedly, such rulings made the masters realize the value that the courts placed on the sanctity of debt-agreements. Thus, the landlords took to representing the advances they made as loans, as the following description illustrates.

If a poor man when in debt objects to write a bond binding himself to slavery, the creditor prosecutes him in our courts; and as the claim has always some foundation although often the amount is exaggerated, finds no difficulty in getting a decree in his favour, after which the threat of imprisonment in execution of the decree speedily compels the unfortunate debtor to agree to the terms required, and he executes the bond.[27]

Eliding silently from advances of money into debt, the above statement nevertheless indicates the process at work in transforming kamiauti advances into loans. With the abolition of slavery in 1843, however, the tendency towards reconstituting the kamia–malik relations in terms of kamiauti advances became stronger because contracts of sale were outlawed. Now that slavery, as a condition marked by the master's power of life and death over the slave's body, was illegal, the stage was set for the "voluntarily entered" bondage to receive full juridical focus and appear as debt-bondage. Consequently, although the landlords had started representing their domination in terms of contracts even earlier in response to British judicial practices, after 1843 all kamia–malik disputes were brought to district courts as violations of creditor–debtor contracts.[28] These contract deeds, often made on stamped legal paper, were "produced by the holder with the more confident air as if they were perfectly certain of being upheld," and it appears that the lower courts were in the habit of upholding them.[29] If an officer refused to enforce them, as one reportedly did, the bondholders asked him, "how are we to get our lands cultivated now?" In this case, the officer replied triumphantly, "by paying a fair day's wages for a fair day's work..." But this appears to have been an exception. The more usual response, as this officer had himself acknowledged, was to enforce the bond. The

[26] *ILC*, Appendix II, No. 75, 322. [27] *ILC*, Appendix II, No. 67, 314.

[28] See, for examples, *Bengal Zillah Court Decisions, Lower Provinces*, 1854, 57: and 1856, 1–2.

[29] IOL: Bengal Judicial Proceedings (hereafter BJP), P/164/15, March 17, 1859, No. 290.

magistrate of Monghyr even went to the extent of issuing a general notification in 1855 ordering the laborers to honor their contracts and asking the railway officials to dismiss those workers whom the landlords claimed as their kamias.[30] Although this order was later withdrawn and the officer was reprimanded, it illustrates the value that local officials placed on enforcing debt-bonds – so much so that the magistrate of Monghyr did not even find it necessary to inquire if the laborers had actually executed contractual bonds.

If, as the above examples show, official practices authorized and enforced the power of money, they also made visible, as the following account demonstrates, the power of land to bind people. This power, evident in the late nineteenth-century objectification of agrarian relations in land, was deployed and enforced in the arena of kamia–malik relations through partition disputes. The main quarrel in such disputes, as a report from 1886–87 stated, was over the kamias' homesteads. Rival claimants complained that the denial of ownership over such homesteads meant denial to their share of the kamias. Consequently, as one official put it, the "Deputy Collectors frequently devote[d] much labour and misplaced ingenuity in giving each shareholder his fair share of serfs."[31] However misplaced, such efforts succeeded in enforcing the power of land to bind the laborers to landlords during the years following the 1886–87 account. Consequently, three decades later, another account on disputes over land in Gaya reported on the control over the kamias through the claim over land in a matter-of-fact manner:

The record of *gharbari* [homestead] land and houses in occupation of *kamias* was the cause of several disputes during attestation. When a *raiyat* gets a new *kamia* and has to provide him with a house and some land, he either does so out of his own land or asks the landlords for a house and some land for the purpose. In the former case the *kamia* is clearly a service *jagirdar* of the *raiyat*. In the latter case he is also if the landlord settles the land in question with the *raiyat*, but if, as is sometimes done, the landlord gives over the land direct to the *kamia*, reserving a right of calling on the services of the latter, then the land is clearly not the *raiyat*'s and the *kamia* was treated in the record as a non-agricultural tenant of the village and not given a separate *khatian* [record of rights].[32]

What is remarkable about this account from the settlement operations in Gaya district is that it treats the claim over the kamia through

30 IOL: BJP, P/145/19, September 27, 1855, No. 62–63.
31 IOL: BGD (Miscellaneous), P/2929, November 1887, File 153 and 1/2, "Annual General Report, Patna Division; 1886–87."
32 *GSR*, 64.

land control as an accomplished fact. It is thus that this account goes on to describe how the settlement proceedings went about establishing and recording the precise status of the kamia's homestead. The critical importance of such precisely established claims over lands in controlling the kamias' labor is illustrated by the dispute that arose in Bakraur village. In Bakraur, Kamlapati Narain Singh (the non-resident tenureholder of a big part of the village) through his agent, Gopal Lall, laid claim to the homesteads of several kamias belonging to the resident village-landlord, Pyare Lall.[33] In each case, Gopal Lall said that the lands were given on cash rents but in each case he withdrew his claim. These lands were entered in the records as rent-free holdings given to kamias by the tenureholder. Revenue records do not explain why the claim for cash rents on these lands was withdrawn, but the reasons seem obvious. Once these lands were legally entered as rent-free leases from the landlord to Pyare Lall's kamias, he also established a claim on their services. Oral testimonies on this question confirm that kamias whose lands were recorded as rent-free leases from the landlord had to go to Shahbazpur (where the landlord lived) whenever they were asked. Eviction of kamias and getting cash rents from lands on which their houses stood and which they had occupied for generations does not seem to have been the reason for filing the claim for rents. Rather, the whole point was to reorder the customary arrangements surrounding the kamias' labor relationships according to land control.

In this reordering of labor relations, the administration of land tenure and anti-slavery laws, as we have seen, were equally instrumental. With slavery abolished and agrarian relations objectified in land, the kamias and maliks constituted their relations in terms authorized and enforced by the colonial administration. When the colonial administration, in turn, encountered the kamias as debt-serfs, it was unable to see its own role in constituting the relationship that it was now describing. To colonial officials, the kamias' bondage and its foundation in the power of things advanced as loans appeared as transparent as man's natural right to freedom. But with indigenous religions no longer protecting slavery, and the sale and purchase of slaves outlawed, the kamias were now seen as a group occupying a position in the continuum extending from slavery to freedom, and kamiauti bonds entered on stamped legal paper were cited to show

33 GCRR: "Tanaja" for Gaya Mufassil thana no. 358, village Bakraur. According to Deoki Bhuinya (oral testimony, January 15, 1962), because his house site lay in the part of the village that was under the tenureholder, he performed a few days of forced labor every month at his estate in Shahbazpur.

the kamias' debt-bondage. Calling them "half enslaved," an official report on Gaya in the 1870s reported that the "*kamias* form the landless day-labourers of these parts. For the sake of a few rupees, a man will bind himself and his family to work for a year, on the understanding that...the debts of the father do not cease with his death, but are inherited by the son. Thousands of these debts are never paid, and the landlord claims for generations the work of his dependents."[34] Another example of characterizing the kamias' position along the slavery–freedom continuum can be seen in a record from 1892. Reporting on Gaya, an official said that "servitude rests on the assumption that the *kamia* was indebted to his master for money advanced for marriage expenses, which is by usage rendered in personal service."[35] And defining servitude, he added that the kamia's bondage was expressed in the fact that he was not allowed to work for any other master, except with his own master's permission. Yet another example to redefine the kamias, now that slavery was outlawed, comes from the *District Gazetteer* of Gaya, published in 1906. Treating the kamias as slaves reconstituted by debt-bondage, it reported:

> there is a section of the community known as *kamiyas*, i.e., labourers who sell themselves to a master and whose position is that of mere serfs ...Formerly the *kamiya* used to sell both himself and his heirs into bondage for a lump sum down; now this practice having been declared illegal, he now hires himself, in consideration of an advance or loan to serve for 100 years or more till the money is repaid.[36]

In much the same vein, an inquiry conducted in 1918–19 said that in most areas of south Bihar the kamia's status was hereditary and found "evidence that the sons of *kamias* are also usually *kamias*, whether by succeeding to their fathers' obligations or by incurring of necessary similar obligations themselves."[37] So settled was the appearance of the kamia–malik relations as debt-bondage, that even officers assigned to investigate other issues could not fail to notice the reified social relations. Thus, the Settlement Officer of Gaya, entrusted with attesting and recording land rights, wrote in his report:

[34] Cited in *SAB*, XII, 72.
[35] BSA: GOB, RD (Agriculture), December 1892, Proceedings No. 41–49, F.B.H. Skrine in "Memorandum on the Material Condition of the Lower Orders of Bengal during the Ten Years from 1881–82 to 1891–92" (hereafter Skrine Memorandum).
[36] *GDG*, 153.
[37] NAI: GOI, RAD (Land Revenue) February 1920, Proceedings, No. 3–5, letter dated September 20, 1919 from the Secretary, Bihar and Orissa Government Revenue Department.

The business starts when the labourer hitherto free wants a loan for any purpose such as a marriage. He has no land and the only thing he can pledge is his labour. He accordingly sells to any one who likes to buy it, the right to his labour in the future, and sometimes not only pledges his own labour but that of his wife and his descendants until such time as the loan is repaid.[38]

In support of his discovery that the kamia's position represented loss of freedom caused by loans, the Settlement Officer produced examples of two bonds, one executed in 1855 and the other in 1914 (Appendix). Both bonds explicitly tied laborers to their creditors until the money advanced was repaid. Theoretically, in both cases kamias could become free if they repaid their loans. The bond concluded in 1914 even laid down that the advance had to be repaid in *jyeth* (May-June) – a time when funds were low. Under the bond of 1855, it was stipulated that the kamia would be liable to compensate the malik with a certain amount of grain and money if he wished to leave the malik's service. In fact, the Settlement Officer found, the executor and his son served until their deaths but the grandson only served for some years before running away.

With the evidence on the existence of debt-servitude mounting, and the settlement proceedings revealing that the kamias' condition was akin to slavery, the government proceeded with enacting a new law. Called the Bihar and Orissa Kamiauti Agreement Act, this 1920 law held that one year's labor constituted a period equal to the repayment of the money advanced and interest on it. Therefore, all labor engagements longer than a year were declared illegal.[39] While designed to abolish the kamia's bondage, it achieved very little. Thus the Royal Commission on Labour ruefully noted that the 1920 Act had been unable to check the prevalence of kamia labor relations.[40] This failure, however, was the Act's most notable achievement, for bondage, declared illegal, now appeared so deeply rooted in Indian otherness that no law could change it. Any change in the kamias' position, the British concluded after another round of inquiries in the 1930s, was "primarily a question of psychology."[41] With this, the

[38] *GSR*, 63.
[39] For official discussions leading to this provision, NAI: GOI, RAD (Land Revenue) November 1918, Proceedings No. 5–6; and BSA: GOBO, RD (Land Revenue), November 1919, Proceedings No. 6–10.
[40] *Report of the Royal Commission on Labour in India*, I (Calcutta, 1931), 362.
[41] BSA: Government of Bihar, RD (Land Revenue) July 1941, Proceedings No. 1–4, letter dated July 10, 1940 from the Secretary, Revenue Department. The Settlement Officer of Gaya expressed a similar sentiment when he wrote "It is useless to attack the evil [kamia labor system] from above except by penal legislation until the *kamias* are taught that freedom is worth having." *GSR*, 64.

colonial complicity in the constitution of the kamias had come full circle to its early nineteenth-century beginnings when men like Colebrooke, too, had spoken of the Indian otherness. But this was no simple return to the beginning because much had changed along the way. The indigenous religious basis of slavery had been constructed and suppressed; and the kamias had acquired a half-enslaved status when, with slavery outlawed, contractual bonds centering on things placed them in the continuum extending from freedom to slavery.

The power of things, established over the course of the nineteenth century, finds itself reflected in the difference between the Bhuinya oral testimonies and their remembered traditions. It is significant that while oral testimonies, pertaining to family histories within the living memories of the Bhuinyas today, often refer to these transactions, none of the traditions mentions the term kamiauti or contains core images encapsulating it. The amnesia of the traditions concerning kamiauti does not mean that this practice did not exist when the core images of these traditions were created. Its omission, however, is just as significant as everything that the traditions remember. Insofar as traditions selectively remember and represent the past in a stylized and formulaic form that has its own requirements, certain omissions are mandatory. Thus, because the clichés concern Tulsi Bir who, as an extraordinary kamia assumes the status of a warrior, there is no place for kamiauti. The reference to kamiauti in oral testimonies, however, suggests that the kamias recognize the difference between Tulsi Bir and themselves, between their time and Tulsi Bir's time. Ties of dependence, encapsulated in the remembered core image of a bir, characterizes the time of the traditions. But advances of money and grain overwhelm the time of the oral testimonies. From this difference in the structural requirements of the two bodies of oral narratives we can infer that, between the time when the core images of the traditions were formulated and the time encompassed by the testimonies, there has been a change in the importance accorded to kamiauti. In causing this change, the processes objectifying agrarian relations in land played an important role because they eroded the strength of hierarchy and dependence in cementing social ties. But equally significant was the part played by colonial documentation, for, by singling out kamiauti advances, administering, authorizing, and finally outlawing the longevity of ties founded on them, it created a body of knowledge that was deployed and acted upon in constituting kamia subjectivity. Drawn into this authoritative enterprise, even the kamias and maliks became complicit in reconstituting their relations as debt-bondage.

Bondage unleashed

With agrarian relations objectified in land, kamia – malik relations juridically represented in money and grain advances, bondage was unleashed on the agrarian landscape. With hierarchy no longer in control, now even the low-caste rich peasants began to hire kamias, new groups were subjected to debt-bondage, fresh areas for the expansion of the kamia labor system were discovered. The history of south Bihar from the late nineteenth century onwards illustrates just such developments.

From colonial records it appears that low-caste rich peasants emerged as the employers of kamias for the first time towards the end of the nineteenth century. In the village of Paharpur of Gaya district, for example, Chulhua Bhuinyan's debt-bondage to a low-caste peasant was traced to the four maunds of grain that Chulhua's father received around 1890 for his marriage.[42] Oral testimonies also indicate that the low-caste Koeri rich peasants in Gaya began to extend kamiauti advances to kamias by the end of the nineteenth century. These Koeris, whom Buchanan had described in his early nineteenth-century survey as "ploughing tribes," predominantly consisted of poor and middle peasants. Even during Buchanan's survey, however, there was a rich upper crust in this group that accumulated, hoarded, and loaned out cash. But Buchanan does not mention them either making kamiauti advances or otherwise employing kamia labor.[43] Oral testimonies suggest that the picture had changed by the end of the nineteenth century. Koeris in late nineteenth-century Gaya included rich peasants who had established land control, extended market relations, and made kamiauti advances to acquire dependent labor. In village Bakraur, Chitaman Mahto and Bhuvan Mahto were two such Koeri rich peasants who had kamias of their own to assist them in agricultural operations. Somar Bhuinya was one such kamia whom Chitaman Mahto acquired towards the end of the nineteenth century as he began to accumulate peasant holdings. For Somar's marriage, his father got some grain and money from Chitaman Mahto. After his marriage, Somar worked on Chitaman's fields, like his father, as his kamia. And when Chitaman died, Somar worked for his son, Shankar Mahto.[44]

42 GCRR: "Village Notes," Gaya Mufassil thana no: 333, village Paharpur.
43 *PGR*, II, 548.
44 I used the village record-of-rights identifying the plot numbers of holdings under these Koeri peasants to elicit oral testimonies on who worked on these lands. It was through this method that I got the names of Chamar and Bhuinya kamias who had worked for Chitaman Mahto and Bhuvan Mahto. These names, in turn, gave me

Like the employment of kamias by the Koeri peasants, the recruitment of castes other than the Bhuinyas as kamias also signified the separation of labor relations from ritual hierarchy. In Bakraur, the Bhuinyas were joined by people from the Chamar caste in the ranks of kamias. Bhuvan Mahto's kamias were drawn from the Chamar caste.[45] The upper-caste malik in the village, Pyare Lall, also had a Chamar kamia.[46] By classifying Chamars as tanners, the ideology of caste made them available for menial labor, including work as agricultural laborers. But their employment as kamias represented a new development. It showed that kamia was no longer a status category. Opened to landless men of other castes, kamias represented a labor relation resting on ownership and control of the means of production.

A more dramatic example of how groups other than the Bhuinyas were subjected to the kamia labor system can be found in the history of the Rajwars during the latter half of the nineteenth century. Connected, like the Musahars, to the Bhuinyas, the Rajwars inhabited the long range of hills and jungles at the southern edges of south Bihar. In Gaya district, they lived in the hills which extended from Rajgir in the northeast to Rajauli and the Danwa Pass in the south. Colonial officials noted in the mid-nineteenth century that the Rajwars were prominent in predatory raids committed in the environs and on the highways.[47] As hill people they had probably always carried out raids on the plains and in the valleys where settled agriculture had grown. But the growth of agriculture and the establishment of landed property in the region had two implications. First, they made the integration of the Rajwars in the agrarian society possible. Second, the expansion of agriculture and assertion of land control in regions surrounding their habitat probably also put pressure on the traditional pattern of Rajwar life and exacerbated their conflicts with the settled agriculturists. In the mid-nineteenth century we find evidence for both of these tendencies. In 1848, a

the names of the kamias' descendants who proved additional details on their ancestors. The information on Somar Bhuinya was collected in this manner from his descendant, Jogeshwar Manjhi.

45 Deoki Bhuinya's oral testimony, Bakraur, January 15, 1982.

46 GCRR: "Tanaja" for Gaya Mufassil Gaya no. 358, village Bakraur.

47 BSA: GCR, vol. 4a (Issue side), letter from the Deputy Magistrate of Nawada, dated May 10, 1852 in Gaya. Since district records were burnt during the revolt of 1857, we do not have the general administrative correspondence for much of the first half of the nineteenth century. But going by the *GDG*'s account that highway robberies were very common in southern Gaya during the early part of British rule (p. 185), we can assume that the Rajwars (who inhabited the southeastern part of Gaya) were active also in the early nineteenth century.

colonial official noted that the Rajwar worked as agricultural laborers for a part of the year when employment was available, and at other times they took recourse to predatory attacks.[48] British officials were quick to regard the actions of the Rajwar bands as works of the group as a whole.[49] The consequent definition of the entire group as a "criminal tribe," therefore, was a guide to the character of official discourse on crime rather than evidence for the actual state of affairs.

The state of the Rajwars in the mid-nineteenth century was a diverse one. While some Rajwar bands lived on banditry, others worked as agricultural laborers and sometimes combined this with participation in brigandage. This diverse range of activities should be seen as evidence of the transitory stage of the Rajwars. While work as agricultural laborers represented their increasing integration into sedentary agrarian society, brigandage harked back to their past existence and reflected the pressure they were under from the growth of agriculture and landed property. Under this pressure, the activities of the Rajwar bands reached their crescendo during the revolt of 1857–58 when British rule came under serious challenge. The highways in the region became a scene of frequent raids. Under Etwa Rajwar and Jawahir Rajwar, bands of Rajwar men were very active during 1857 in southeastern Gaya.[50] Their forays continued for a few years even after the 1857 revolt was suppressed.[51] The district officials reported that these men were supported by local zamindars not only to protect their own property and villages but also to share in the loot. In a letter to the district magistrate in 1858, the deputy magistrate wrote:

In almost all the cases of Dacoity that occur Rajwars alone are not concerned. Rajpoots, Brahmins & Mussalmans join with them & [the dacoities] are no doubt to a certain extent hatched by the zemindars who share in the loot & afford the guilty parties every protection in their power,

48 BSA: GCR, vol. 2 (Issue side), letter from the Deputy Magistrate of Nawada, dated April 13, 1848 (hereafter letter, April 13, 1848).

49 Official correspondence of this time almost always attributed robbery in southern Gaya to the Rajwar "tribe", accusing the "tribe" as a whole of being complicit in these activities: BSA: GCR (vol. marked as Gaya Correspondence from 31 January, 1863 to 17 March, 1865), letter from the District Magistrate of Gaya, dated May 9, 1863 (hereafter letter, May 9, 1863).

50 BSA: GCR, vol. 11 (Issue side), letters from the Deputy Magistrate of Nawada dated September 24, 1857 and from the Magistrate of Nawada dated September 2, 1857 note the activities of these men in 1857.

51 This was evident from the campaign launched in 1863 to capture these men; BSA: GCR, letter, May 9, 1863.

and you must be aware how difficult it is to obtain proof of guilt against the Zemindar.[52]

Protection from zamindars did not end with the revolt of 1857; such support continued even after the revolt. This was not surprising. Working on the land as laborers during a part of the year and living on the estates of zamindars, the Rajwar bands were likely to have had close links with the landholders. Moreover, the complicity of zamindars in the predatory raids by the Rajwar groups and others was consistent with the role that force and non-economic coercion played in social relations right up to the early nineteenth century. Predatory raids were only the more extreme expressions of the control one group established over another through both brute force and ideological power. Faced with a colonial administration that defined such activities as crimes, the zamindars did not take an active part in carrying out these raids. But they gave protection to the Rajwars who, not being completely sedentary, moved in and out of the agrarian society and the hilly and forested terrain and continued their raids.

The re-establishment of British power after the revolt of 1857–58, and the reassertion of control by the colonial administration, stemmed the rising tide of Rajwar raids. A campaign against them in 1863 resulted in the capture, trial, and conviction of their leader, Etwa Rajwar.[53] In 1864, the Collector of Gaya said that the Rajwar raids had "ceased completely."[54] Although it was unrealistic to expect that administrative measures by themselves could put an end to predatory expeditions by the Rajwar gangs, the Collector reported once again in 1867 that the Rajwars were keeping away from brigandage.[55] Incidents of their raids appear to decline towards the end of the nineteenth century and later records do not show the same degree of concern.

The apparent success of the punitive campaigns was no doubt facilitated by the socio-economic transformation that was already beginning to take effect. Beginning work as agricultural laborers, the integration of the Rajwars into the sedentary agrarian society was

52 BSA: GCR, vol. 16 (Issue side), letter from the Deputy Magistrate of Gaya, dated August 5, 1858. As stated in letter, May 9, 1863, this was true even after the revolt was suppressed.

53 BSA: GCR, vol. 43 (Issue side), letter from the District Collector, dated August 22, 1864 (hereafter letter, August 22, 1864).

54 BSA: GCR, letter, August 22, 1864.

55 BSA: GCR (vol. marked as Correspondence from 6 June, 1867 to 13 March, 1869), letter from the District Collector, dated July 19, 1867.

well under way in the mid-nineteenth century. The extension of agriculture into the hilly and forested regions meant that the Rajwars, who had remained outside, were also brought increasingly under relations of production based on land control. The frenzy of the Rajwar raids during 1857–63 can be viewed as the last attempt to reassert a pattern of life whose days were numbered. This, in turn, provoked administrative campaigns in 1863 to suppress the Rajwar forays. The pressure on the hill people to integrate into agrarian society, as a result, probably increased. Thus whereas a report in 1848 had said that the Rajwars worked part of the year as agricultural laborers, in 1864 an official described them as kamias and noted that their labor relations were initiated by advances of money, and added that the "term Rajwar once synonymous with robber is now synonymously [sic] with bondsman and slave ... Rajwars took themselves from robbery & violence to serfdom or Kumiotee."[56]

As dramatic as the Rajwars' transformation was the rapid expansion of the kamia labor system in Chota Nagpur. This expansion was an integral part of the penetration of the hilly region by the Hindus of the Bihar plains. The plains Hindus, never isolated from the non-Hindu peoples of Chota Nagpur, used the nineteenth-century instruments of land control and kamiauti advances to make their intrusion more extensive and pervasive than ever before. This was particularly true of two northern Chota Nagpur districts – Palamau and Hazaribagh – that bordered the south Bihar plains. Because in these districts the Hindu intrusion was the greatest, and so was the presence of the kamias, they provide a good illustration of the processes involved in the expansion of the kamiauti system.

Stratification in Hazaribagh was well developed long before British conquest in the late eighteenth century. Hierarchy based on lineage rights had begun to give way to the politico-juridical dominance of migrants who were given grants of land by the King in the pre-colonial period.[57] With the establishment of British rule, however, the requirement of regular revenue payment, in a region which was still largely undeveloped, led the King to give away thikas or tenurial leases to Hindu migrants to collect rents from villages. With time, these thikadars became landlords. Noting this process, a Catholic missionary wrote in 1914:

In reality the present so-called landlords or *zamindars* were as recently as 30 and even 20 years ago called nearly everywhere *thikadars*, men who had a

[56] BSA: GCR, letter, August 22, 1864. For the 1848 description, see BSA: GCR, letter, April 13, 1848.
[57] For details, see Thapar and Siddiqi, "Chota Nagpur," 19–64.

thika for collecting the quit-rents due by villages. Of course they had full leave from the Maharaja [king] to strike out anything they might over and above the original quit-rent.[58]

In the northwestern parts of the district (where the penetration by the Babhan migrants from Bihar was the greatest), the emergence of landlords went hand in hand with a large number of kamias.[59] This was so because, as inquiries by the Settlement Officer showed, these landlords enlarged their *bakasht* (estates) and employed the expropriated peasants as kamias on their lands. Domar Singh, an employee of the government agency which managed the encumbered estates, was one such Babhan. Since his grandfather's time, the family had been engaged in rent collection in Hazaribagh district. Advancing small sums of money to the Santal, Kol, and Ghatwar tenants, he and his ancestors made them bonded laborers. Similar processes were also discovered in another part of the district where detailed comparison of the early twentieth-century records with older records on peasants holdings revealed that "the disappearance of the better class of raiyats and the reduction of others to *kamiouti* had been going on with great rapidity..."

Unlike Hazaribagh, in Palamau migration of the Hindus in the colonial period was not a new factor in the growth of kamiauti. In fact, Palamau had a history of longer and closer contact with the people from the plains. Hindu lords like the Raja of Sonpura had coexisted at least since Mughal times with the Chero chiefs who came to rule the region in the sixteenth century.[60] But migrants were not the only source of social hierarchy. Giving away landgrants to members of their own lineage, to the Kharwars, and to their military followers, the Chero chiefs created a large number of tenures at quit rents. Beneath this group were a variety of sub-tenureholders. These were younger members of the families of principal tenureholders and their estates represented "a facsimile of the original estate or zamindari held by the Rajas of Palamau." The establishment of British rule and of regular systems of revenue payment brought the system of heritable and transferable intermediary landlord tenures. And like Hazaribagh, Palamau also witnessed rack-renting and expropriation of peasants, and their subsequent recruitment as kamias. According to the Settlement Officer, in spite of the low population density of the district the condition of peasants remained insecure. He wrote:

[58] Cited in BSA: GOBO, RD (Land Revenue) November 1914, Proceedings No. 8–13.

[59] *HSR*, 110. [60] *PDG*, 155.

The rents far from being low, are extremely high, as compared with those prevailing in all the neighbouring districts, notwithstanding that Palamau has been pronounced by experts to be one of the poorest districts in the province... The competition of the landlords *was not, and is not,* for raiyats but for the sweated labour – for agricultural slaves – for the cultivation of an ever-growing *bakasht*... The truth is, as the Census Report as well as the Settlement record shows that at least one agriculturist in every three has been unable to get any land at all and that the rest have in the vast majority of cases less than subsistence holdings.[61]

Squeezed by rack-rents and required tc offer forced labor on the landlords' estates, the peasants often responded with desertion. When this happened, the landlord cultivated the abandoned lands with forced labor or with kamias. But why did landlords risk desertion by peasants? The Settlement Officer argued that this was so because direct cultivation by kamias yielded a higher income. As a result, the Settlement Officer argued that "[K]amiauti is not decreasing as so many previous writers have hoped but is actually increasing. Many men who were formerly free are now *kamias* and once a *kamia* always a *kamia*."[62]

As in Hazaribagh, the expansion of the kamia labor system in Palamau was directly connected to the central position land control had assumed in social relations. And as in Hazaribagh, kamiauti transactions were at the center of the kamias' relations with their maliks. In both cases, growth of estates at the expense of peasant holdings provided the impetus for the expansion of the labor system. Here, the difference from Gaya was apparent. In Gaya, the expropriation of peasants became a major force only during the depression of the 1930s, when peasants on high commuted rents found it difficult to pay. In Chota Nagpur, however, revenue settlements were primarily responsible for the eviction of peasants. Late agricultural colonization and backwardness of agriculture was perhaps responsible for the insecurity of peasant rights in Chota Nagpur.

In spite of differences between Chota Nagpur and Gaya, what was common to both was the objectification of agrarian relations in land and the reification of kamia – malik relations. Far from producing "free" labor, as the government had hoped, these developments tied kamia labor to agricultural production even more tightly than before. In the absence of detailed censuses of kamias at different times, it is difficult to estimate the quantitative change over time. But on the

61 *Final Report on the Survey and Settlement Operations in the District of Palamau, 1913–20*, by T.W. Bridge (Patna, 1921), 56 (hereafter *PSR*).
62 *PSR*, 119.

basis of a sample survey, C.J. Stevenson-Moore estimated in 1898 that kamias constituted 56 percent of all agricultural laborers and 11 percent of the total rural population in Gaya.[63] As the settlement operations in 1911–18 did not carry out any population census of kamias, nor did later records give any estimate of their number in Gaya, we have no idea of the quantitative change in the kamia population after 1898. For Palamau, similarly, we only have an estimate from 1920, according to which kamias constituted 9 percent of the district's population.[64] The detailed village inquiries conducted in Palamau and Hazaribagh in 1936, however, revealed that the number of kamias since the settlement operations in the two districts during 1908–20 had grown, and the kamia labor system was firmly entrenched.[65]

Bonded labor and backward agriculture

The bondage unleashed on the poor of south Bihar and Chota Nagpur enabled the nineteenth-century expansion of an agricultural production that, far from introducing major improvements in the technical basis of agriculture, relied on the intensification of labor exploitation. Paddy cultivation, in a context marked by the growth of estates and the accumulation of tenantholdings by rich peasants and petty landlords, increased the need for labor and made labor control more critical. This was because the sharp fluctuations in labor demand, characteristic of paddy cultivation, became more acute when landlords enlarged their estates and rich peasants accumulated more lands than they could cultivate with family labor. In these circumstances, landlords and rich peasants acquired labor control by expanding the kamia labor system. Rather than introduce improvements that could support a balanced agricultural year, expand peasant agriculture, and maintain a sufficient pool of laborers, they accumulated resources and enforced bondage. Rather than competing for laborers with offers of higher wages, they offered kamiauti advances and acquired labor control. Consequently, agricultural seasonality remained high. As rivers became dry by the middle of

[63] Stevenson-Moore, *Small Agriculturists and Labourers*, 29.
[64] NAI: GOI, RAD (Land Revenue) February, 1920, Proceedings No. 3–5, letter dated September 20, 1919, from the Secretary, Government of Bihar and Orissa Revenue Department.
[65] BSA: GOBO, RD (Land Revenue) January 1936, Proceedings No. 1–48, Enclosure (1) to Proceedings No. 46, "Kamiauti Enquiry Report for the Districts of Hazaribagh and Palamau" (hereafter Kamiauti Enquiry).

November, the irrigation system could only support paddy cultivation. The second crops in the agricultural year were, therefore, mostly dry catch-crops. High agricultural seasonality resulted in sharp fluctuations in labor demand. Months of condensed labor demand for wet-rice agriculture gave way to months of inactivity. In this situation, the landholders' need for an assured labor supply during the peak periods of agricultural activity and the laborers' need for support during lean months were combined in the kamia labor system. An examination of evidence on the number of days in an agricultural year that kamias found employment and a consideration of the data on how large landholders met their labor demand will reveal how the kamia labor system allowed the existence of a backward but increasingly commercialized agriculture.

The 1934–36 inquiry into the kamia labor system reported that laborers found employment between 9½ to 10 months of the year in Palamau and Hazaribagh districts; 6 to 7 months were spent on agricultural activity, the rest was spent on non-agricultural work.[66] In village Sheorajpur, Panchu Bhuinya presented a similar picture:

> Work started from *asārh* [mid-June to mid-July] and continued till *aghan-pus* [mid-November to mid-January]. This was mostly work in paddy fields. In *kārtik* [mid-October to mid-November] we sowed khesari in paddy fields and harvested it in *phāgun* [mid-February to mid-March]. In *chait-baisākh* [mid-March to mid-May], collecting firewood and carrying palanquin were the only things to do.[67]

This account, like the report on Chota Nagpur, mentioned about six to seven months of agricultural work and about two months of non-agricultural labor. But these months represented clusters of time when work was available. This does not necessarily mean that they worked every day of these months. Panchu Bhuinya did not remember exactly how many days of these months he worked although he readily admitted that there were periods of inactivity between work. "Nobody worked every day! How was that possible? First, there was ploughing for *biyar* [seed nurseries], then three-four ploughings of fields in *sāwan* [mid-July to mid-August]. Then transplantation, then we waited for *hathiyā* [rain in late September and early October]. Then weed paddy and sow khesari. Then wait again. It was always like this." It is likely that the same was also applicable to the Chota Nagpur estimates of 1934–36.

66 BSA, GOBO, RD (Land Revenue), January 1936, Proceedings No. 1–48, Kamiauti Enquiry.

67 Panchu Bhuinya's oral testimony, Sheorajpur, July 3, 1982.

In order to get a better idea of the labor demand and the number of days a kamia was employed, let us take Pyare Lall's estate in Bakraur, which consisted of roughly 125 acres, out of which he cultivated about 100 acres directly with his 33 kamias.[68] According to oral accounts, about 70 percent of Pyare Lall's land was under paddy and about half of this land was used for a second crop of khesari. On the remainder, autumn crops such as maize and pulses were followed by a second crop of wheat, gram, and vegetables. This is a much higher percentage of double cropping than the thana average (65 percent rather than the thana average of 11 percent), but it is not surprising.[69] Situated close to the two tanks, Pyare Lall's lands were the best irrigated in the village. But the figure on double-cropping is somewhat deceptive. A crop like khesari was really a catch-crop sown broadcast in the flooded paddy fields in October, requiring very little labor. In order to calculate the labor demand, I will use an estimate that local informants gave about the number of laborers needed (reduced to a single working day) per acre to cultivate different crops (Table 4.1). If rice was grown on 70 acres, this would have required a total of 4,410 laborers. Much of this labor (2,030 laborers) would have been needed for ploughing and transplanting during the three months beginning with the outbreak of the monsoon in the middle of June. In practice, the malik did not require all these laborers the same day. Not all his fields were ploughed the same day, nor did the whole crop mature the same day. Nevertheless, different agricultural operations had to be accomplished within a limited time period. For instance, transplantation had to be completed within two months beginning in mid-July so that the crop could remain in flooded fields to mature before drying out in mid-September. But harvesting of maize and pulses occurred at the same time. Assuming that transplantation of paddy had to be completed within 60 days, then the task for 70 acres would have required 23 laborers per day.

In practice, more laborers were needed because, although the time of transplantation was the two months from mid-July to mid-September, early and late operations could not take full advantage of the rains in late September. Labor needs for the harvesting of maize and pulses at the same time meant that there was considerable

[68] The figure on landholdings is derived from GCRR: "Khatian" for Gaya Mufassil than a no. 358. This was easily confirmed by local informants. The number of kamias, confirmed independently by genealogies of kamias that I constructed from oral testimonies, was given by Pyare Lall's grandnephew, Chandra Shekhar Lall; oral testimony, Bakraur, September 4, 1982.

[69] *GSR*, Appendix II.

Table 4.1. *The number of laborers required for the cultivation of major crops*

Crop	Ploughing	Transplanting	Weeding	Reaping	Threshing & winnowing	Irrigating	
Paddy	9	20	12	12	2	8	63
Maize	10	—	16	7	2	2	37
Gram	10	—	—	12	2	—	24
Wheat	11	—	—	12	2	2	27
Pulses	16	—	—	8	2	—	26
Khesari	5	—	—	12	1		18

pressure on the malik to secure a large supply of labor needed for short stretches of time. This was again the case for the paddy harvest. Once more, the whole operation had to be completed within a limited period of time. For 70 acres of paddy 980 laborers were required if harvesting, threshing and winnowing were to be accomplished in one day. With his stock of 33 kamias and their wives, Pyare Lall could do it in about 15 days. But this was again the time when gram and wheat cultivation also needed labor. As much of the agricultural activity was concentrated in the months between the middle of June and the end of December, labor needs of a substantial landholder were really lopsided. Heavy demands during the monsoon and winter months gave way to essentially just harvesting work in spring.

While a large landholder like Pyare Lall was faced with concentrated periods of labor demand, the kamias were faced with periods of heightened activity followed by stretches of unemployment. If we divide the total number of laborers required for paddy cultivation for 70 acres by the number of kamias Pyare Lall had (4410 ÷ 33), we get the number of days each kamia would have been employed in paddy cultivation – about 133 days. Actually, it would have been less than that because the kamia women also participated in agricultural work, particularly in transplanting, harvesting, and threshing. So if we exclude these operations, the number of days laborers were employed was 61 (2030 ÷ 33). Then, assuming that kamia men and women jointly completed the task of transplanting, reaping, and threshing, the number of days each kamia and his wife were employed was 36 (2380 ÷ 66). Thus, we get a total of 97 days of labor by each of the 33 kamia men and 36 days for each kamia woman in paddy cultivation. Assuming that these kamias and their wives were able to participate fully in maize, pulse, wheat, and khesari cultivation also, applying the same principle as above about the

sexual division of labor, kamia men were employed for 56 days in the cultivation of these crops and 9 days in harvesting pulses and maize. The kamia women's share was also 9 days. So, over the period of seven months beginning with early June and ending in early January, a kamia man was employed for 162 days (97 + 56 + 9). His wife was employed for 45 days in the same period. But once the paddy was harvested, threshed and stored, by the middle of January, there was very little work until the end of February, when khesari and wheat or gram were harvested. At this time each kamia man and woman was employed for 12 days. But after the end of March there was again prolonged inactivity until early June. Thus the pattern of employment of Pyare Lall's kamias in Bakraur demonstrates how high agricultural seasonality caused a sharp rise and fall in labor demand during the agricultural year.

Out of the total of 174 days that a kamia man and the 57 days that a kamia woman worked in agriculture, they were paid daily wages for all periods except for the harvesting season when payments were based on the dinaura system. Under this system, they were paid a lump sum based on piece-rate calculation. So if we exclude the 36 days that each kamia worked on reaping and threshing (15 days for paddy, 9 days for maize and pulses, and 12 days for wheat and khesari), we get 138 days that a kamia man and 21 days that a kamia woman worked on daily wages. The daily wages consisted of two and a half seers of unhusked grain and a seer of husked grain – usually stone-ground gram – as their diet allowance.[70] For 138 days, the total came to 345 seers of unhusked grain and 138 seers of husked grain. Adding to it the 140 seers and 80 seers of unhusked paddy and other grains respectively that a kamia got under dinaura,[71] the total earning of a kamia man from agriculture was 565 seers of unhusked grain in addition to 138 seers of husked grain as food. If we add the wages and dinaura earnings of a kamia woman (267 seers of unhusked grain and 19 seers of husked grain), the total earnings of a kamia family came to 832 seers of unhusked grain and 157 seers of husked grain, or 711 seers of husked grain. If we assume that half a seer of husked grain

[70] Keso Bhuinya's oral testimony, Bakraur, July 3, 1982. This wage rate appears to have survived until quite recently. In all the villages I went to in this region, this rate was quoted by everyone unanimously as being the wage until about a decade ago. The Settlement Officer found the same rate in Rajauli also. *GSR*, 63.

[71] Under dinaura, kamias did not get any diet allowance. They were paid a daily wage of about half a seer of unhusked grain in addition to payment on a piece-rate system, all of which came to roughly two and a half maunds of inferior paddy and about two maunds of other grains, consisting of gram, pulses, maize, and khesari. Keso Bhuinya's oral testimony, Bakraur, July 3, 1982.

for an adult and ¼ seer for a child constituted a full meal,[72] then calculating on the basis of two meals a day, a five-member kamia family could survive for about 203 days on its earnings from agricultural work.

In practice, the picture was not as stark as the above calculation leads one to believe. Agricultural work did not simply consist of ploughing, transporting, weeding, harvesting and threshing. Plants from nurseries had to be transplanted to paddy fields and harvested grain had to be carried to the threshing yard. Additional labor was needed for these tasks. Most kamias also had a small garden. If we take these into consideration, the number of days a kamia family could exist on agricultural earnings was perhaps considerably more than 203 days. But by the end of March kamia resources were low. At this time, the maliks' support was critical. In most cases, it appears that such support was forthcoming. In 1892, a description of their condition in Gaya ended with the statement that this class was "degraded beneath the low level of Bihar peasants but it is certainly never in want of food."[73] Six years later, C. J. Stevenson-Moore also found that in Gaya, "while the standard of life of the Kamiya is much lower than that of a labourer in North Bihar, yet he is in times of distress much better off, for in return for the sacrifice of his independence, the Kamiya is fed by his master, whatever the prices of foodgrains may be."[74]

Such favorable accounts, however, must be viewed against reports that described a much harsher regime. In Chota Nagpur particularly, the kamias were left to fend for themselves during the lean months.[75] This variation suggests that the support during months of idleness was not a part of the contractual relations but was a question of struggle and negotiation. Therefore, the kamia labor system cannot be treated as a response to the particular needs of the region's agriculture. In fact, the peaks and slumps of labor demand were themselves products of the fact that laborers were landless and their employers were substantial landholders. Because they had large holdings, maliks and Koeri rich peasants required an assured supply of labor for paddy cultivation on their lands. Laborers, on the other hand, were landless

72 This is a somewhat lower estimate than used by George Grierson in calculating the consumption needs of a peasant family (*Notes*, 89); but it is one that kamias said constitutes a meal today, and claimed that it did so even in the past.

73 BSA: GOB, RD (Agriculture), December 1892, Proceedings No. 41–49, Skrine Memorandum.

74 *TSR*, 7.

75 *PSR*, 120. Also BSA: GOBO, RD (Land Revenue) November 1919, Proceedings No. 6–10, letter dated February 20, 1919 from W. H. Lewis.

(or became so in Chota Nagpur during the late nineteenth century) and needed access to the accumulated resources of landholders during the lull in agricultural activity. But such inequalities did not produce competitive wages. As Stevenson-Moore remarked in 1898, this labor system "could not exist under the operation of economic laws; for the demand for labour is very considerable while the supply is not excessive."[76] Secured and controlled, they were paid wages that left them with practically nothing for days when agricultural activity slowed to virtual idleness. At such times, the support secured from the landlords could be represented and experienced as a matter of their generosity. Even if we treat the support that landholders gave to laborers during times of need as deferred wages, its timing was crucial for it made the landlords appear as munificent patrons of their dependent subjects.

Debts and dependence

Not only the pattern of agricultural activity and the timing of payments to laborers but also the nature of the power endowed to things given as kamiauti advances made the representation of kamia–malik relations as dependent ties possible. To the extent that social relations were based on things advanced to the kamias, they were confronted with a power contained in the very intrinsic property of money, grain, and agricultural land. Their congealed labor-contained in the products of kamia labor appropriated by the landlords and advanced as loans – appeared as things animated with a power arising from their very physical being. This is what Marx defines as the fetishism of commodities. But because these things were not exchanged for other things – the kamia labor did not cancel out their loans – the kamia–malik relations did not appear as the relation of things exchanged in the market. The expression of social relations through the market exchange of commodities, the second part of Marx's definition of commodity fetishism, would have made the kamias into "free" laborers. But treated as loans, the things advanced to the laborers appeared to be permanently unrequited. Once given to the kamias, the power of things had a constant presence so that any further payment from the landlords could be experienced as generous support from a patriarchal master. The representation of kamia–malik relations as dependent ties, therefore, was written into the very juridical constitution of these relations as

[76] Stevenson-Moore, *Small Agriculturists and Labourers*, 7.

debt-bondage. Experienced and constituted in this manner, the effect of concluding debt-agreements was to give the landlords long-term control over the kamias. It was through this effect – securing domination over the laborers – that the juridical representation of debt-bondage facilitated the economic exploitation of the kamias.

One way that the maliks secured long-term domination over the kamias was through precluding any possibility of repayment of loans. This was done by either stipulating that the interest on the loan should be paid in June – a time of the year when funds were particularly low – or by making the payment of a certain sum of money and a quantity of grain a condition for the cessation of the kamia's obligation to serve (see Appendix). This meant that the kamia could never muster enough to repay his loans. But, more importantly, it does not appear that the landlords either attempted to enforce the repayment of the money advanced or that the laborers tried to settle their accounts. After all, the relationship between kamias and maliks was not marked by usury. The payment of interest, ordinarily suspended, was invoked only to prevent the dissolution of the relationship. But from the absence of any document recording dissolution through payments of loans and interests, we can infer that such extraordinary events rarely happened. After all, the central thrust of kamiauti advances was not usury but labor control. And yet, when constituted as debt-bondage, the relationship appeared to exist due to the kamia's failure to repay the loan with interest. With the kamias facing money animated with self-increasing power, the everyday social relations between kamias and maliks became represented as an effect of the constantly deferred day of settled accounts.

With the payment of the loan and interest held in abeyance permanently, the kamia appeared bound to the malik because of an unrequited exchange. His daily work on the malik's field, therefore, could not count as partial payment of his liabilities as this would have eventually terminated the relationship. George Grierson, the District Magistrate of Gaya in the 1880s, however, thought otherwise. He viewed kamiauti advances primarily as an instrument of economic exploitation rather than, as I have suggested, the juridical form in which the kamia–malik relationship represented itself in securing the long-term domination of the kamias. Seen as a mode of economic exploitation, debt-bondage seemed geared towards the super-exploitation of the kamias. Grierson found this extraction of super-cheap labor in the lower daily wages that the kamias were paid when compared to the ordinary laborers. Pointing to this difference

in wage levels, he contended that it constituted payment of interest.[77] The same argument can perhaps also be made from a similar difference that the Settlement Officer of Gaya found two decades later. According to him, while ordinary laborers got three seers of unhusked grain and one seer of diet allowance, kamias received two and a half seers as wages and one seer as their food. But "[C]uriously enough," he added, "at harvest time the *kamias*' wages exceed those of the ordinary labourer and they get 1 sheaf out of every 10 or 15 sheaves of grain whereas the ordinary labourers only get 1 in every 21 or so."[78] So the lower daily wages to kamias was offset by higher payment than ordinary laborers' received during the harvest time, making Grierson's view untenable. But could the kamias' higher harvest wages have been, as the Settlement Officer believed, due to the greater labor demand at harvest time? If this was the case, then why did not the ordinary laborers also get more? And why pay higher wages to the kamias when they were already bound to labor for the maliks? The key to these puzzles lies in the fact that such calibrated payments had the effect of representing the malik as a patron. It is thus that the Settlement Officer reported:

The *kamia*, however, has several advantages denied to the ordinary labourer. He is assured of constant employment and gets fed in times of scarcity. He and his wife get clothes and he always has a free house with a few *kathas* of land attached for which he pays no rent. In addition, whenever he requires money for ceremonies, such as his son's marriage, his master can always be depended upon.[79]

This picture of a kamia looked after by his patron, despite appearances, accords well with Grierson's comment that there "can be no doubt, and indeed it is admitted, that a *kamiya* does not get the market price of his labours. No matter what that may be, his wages never vary, and [are] only sufficient to keep body and soul together."[80] Although it seems to contradict the Settlement Officer's favorable depiction of the kamia's situation, what is common to both is that they present a picture of kamia–malik relations unaffected by

77 Grierson argued that a kamia's daily wage was a quarter of a seer less than that of an ordinary laborer, which came to 90 seers a year. Taking ten rupees as the usual kamiauti advance, Grierson concluded that 90 seers came to 22.5 percent interest (*Notes*, 113–14).

78 *GSR*, 63.

79 Other officials also argued that the laborers received security in exchange for the loss of freedom. See IOL: BGD (Miscellaneous), P/3168, August 1888, File 161–1/2, "Annual General Administration Report, Patna Division for 1887–88."

80 IOL: BGD (Miscellaneous), P/2929, November 1887, File 153–1/2, "Annual General Report, Patna Division; 1886-87."

market relations. So, even though the kamia's wage, when taken in its entirety, may have equaled if not exceeded the ordinary laborer's wage, its uneven distribution had a strategic effect in reproducing the kamia–malik relations as dependent ties.

If by distributing wage payments strategically, debt-bondage opened up the space for the reproduction of social relations as dependent ties, these ties in turn tended to overwhelm the juridical notion of loans. This was evident in the fact that despite the kamia's ever-present indebtedness, the kamia's son's marriage occasioned another kamiauti advance. With this advance, the kamia's son also became a kamia.[81] Now, if the kamia was already indebted, what was the need to offer a fresh loan? It appears that once debt-bondage constituted the kamias as forever bonded to the master, all subsequent exchanges became events in a dependent existence. Therefore, it is not surprising that, construing these loans as expressions of the paternal character of the kamia–malik relations, the Gaya Settlement Officer remarked: "whenever he [kamia] requires money for ceremonies, such as his son's marriage, his master can always be depended upon."

For rendering these loans into acts of patronage, however, the timing was critical. Both written and oral sources testify that kamiauti advances were given when the kamia's son got married.[82] Marriage after all was a critical rite of passage. When accompanied by a kamiauti advance, the transition to adulthood also became an occasion for the kamia's son's ritual incorporation into the social order as a dependent laborer. Just as marriage ritually transformed a young boy into an adult, the kamiauti transaction gave him a place in the social order as the malik's dependent. Still a young boy, the kamia's son began by doing light chores such as tending his malik's cattle. After some years, when his marriage was consummated, he also began to work on his malik's lands. Although it was several years after the ritual events that the passage to adulthood and entry into the social order was materially realized, marriage on kamiauti marked his status right from the beginning. A loan advanced on this occasion to the already bonded laborer made the malik appear as a generous patron.

This patronage, in turn, reproduced the kamia family as a

[81] The "sons of *kamias* are also *kamias*, whether by succeeding to their father's obligations or by incurring of necessity similar obligations themselves." NAI: GOI, RAD (Land Revenue) February 1920, Proceedings No. 3–5, letter from the Secretary, Government of Bihar and Orissa Revenue Department.

[82] *GSR*, 63.

patriarchal institution serving the labor needs of the landlords. The Settlement Officer of Palamau pointed to this effect when he remarked that the advance given for marriage was not a loan but "a fee paid by the landlord for the purchase of a wife for a kamia's son in order to maintain his stock of labourers."[83] With the kamia women subordinated in the family as a reproducer of labor, the kamia – malik relations were engendered through men. Even though the kamia women worked on the paddy fields of their husbands' maliks, the legal bonds executed by the laborers and landlords represented the labor relations as ties between males. So did the kamias when tracing, in their oral testimonies, their family histories of subordination to the maliks.

What made the reaffirmation of patriarchy, and, consequently, the reproduction of bonded labor, possible was the evocation of kamiauti advances as acts of patronage. Because it was given for marriage, what was juridically styled as a loan became an expression of the malik's munificence. It is perhaps in recognition of this transmuted character of kamiauti advances that neither written records nor oral testimonies use the indigenous terms for loans. While the legal deeds in English used the term "loan," it is significant that George Grierson's exhaustive catalog of indigenous terms, compiled in his *Bihar Peasant Life*, mentions *kamiyauti*, *harauri*, and *kamāi*, for kamiauti advances.[84] This is not surprising because, unlike ordinary loans taken to satisfy consumption needs, the kamiauti advance was for the kamia's or his son's marriage. Money, grain, and land given on this occasion transformed a loan into an act facilitating the reproduction of the kamia family. Therefore, the kamias gave central place to this event in the experience of their lives of dependent existence. Constructing and reconstructing the kamias as dependent subjects and the maliks as munificent patrons, these events were remembered and transmitted from one generation to another. The following account is one among many such accounts that I found:

My grandfather told me that when he went to Pyare Babu to ask for thirty rupees and some paddy for my father's marriage, he was told that he did not deserve it. Sobhran Singh [the landlord's agent] was there and he also said that my grandfather was no good – he did not come at once when called for work, pretended to be ill when he was not, and was disobedient. My grandfather protested that he held Pyare Babu in high regard and that he could not even dream of not following orders. He pleaded for forgiveness and promised that he would try even better than before to please Pyare

[83] *PSR*, 120. [84] George Grierson, *Bihar Peasant Life*, 314.

Babu. When he still did not relent, my grandfather said that he fell on Pyare Babu's feet and asked him where could he go if even a generous malik like Pyare Babu forsook him. Then Pyare Babu's heart melted and my grandfather got twenty rupees and one and a half maunds [about 120 lbs] of paddy.[85]

This is a narrative that the informant heard from his grandfather. In spite of the fact that it is not a first-hand account, it reveals an interesting picture of the transaction between kamias and maliks. Clearly, the occasion for giving and receiving kamiauti advances was no simple execution of a pre-existing arrangement. The malik used the occasion to reassert his domination over the kamia by reminding him of his obligation to serve. The kamia acknowledged this authority and pledged his dependence. But in saying "where could he go if even a generous malik like Pyare Babu forsook him," Suresh's grandfather reminded the malik that as a patron he had to be forgiving and generous to his dependents.

Such assertions of the malik's dominant position and the kamia's dominated status appear to be in conflict with the pivotal role that kamiauti advances played in the construction of bondage. To the extent that the kamia–malik relationship was anchored in kamiauti advances, it appeared, contrary to the evocation of dependent ties, as an economic bond founded on things. Exerting their power through the juridical notion of debt-bondage, these things bound the kamia to serve his malik because the repayment of the loan was permanently deferred. This contractual nature of the relationship became evident when a runaway offered himself to another master by taking a kamiauti advance from him. The sanctity of this contract was acknowledged even by the former master. Therefore, he could reclaim his kamia only if he compensated the new master for the advance that he had given to the laborer.[86] The assumption in these arrangements concerning the hiring and reclamation of runaway kamias was that the advance of things, unless canceled by repayments, bound the laborer to his master. Of course, these advances were rarely called loans, unless recorded in documents written in English. Most of the agreements, in fact, were oral, and they used the term kamiauti to characterize these advances. But whether the term loan was used or not, the crucial fact was that the advance of things made the kamias appear as naturally free persons bonded by their

85 Suresh Bhuinya's oral testimony, Bakraur, March 3, 1982.
86 *GSR*, 63–64.

permanent indebtedness. To such an indebted kamia, the malik appeared to be a patron who offered patronage to his family. In this way, bondage reflected back on kamiauti advances and made them appear, in Pierre Bourdieu's terms, as "an inaugural act of generosity, without any past or future, i.e. without *calculation*."[87] Furthermore, because the kamia's son became old enough to work for the malik only after some time had lapsed since the grant of the kamiauti advance, the interested exchange of debt-bondage became representable as disinterested reciprocity.

The repression of the economic representation, however, could not depend on the kamiauti advance by itself. The landholder had to make gifts to his kamias on other critical occasions. When a son was born to the kamia's wife, the landholder gave clothes, money and grain.[88] When there was no agricultural work, kamias went to their maliks to ask for work. Sometimes they were asked to collect wood, repair the irrigation channels, or collect fodder for the cattle. But when they could not get such work and there was very little food in their homes, in many places the kamias depended upon and received the maliks' support. This support included grain loans calculated at an interest rate of 50 percent. Called *deorhā*, rich peasants in particular appear to have extended these grain loans. As one kamia recalled:

> Birji Babu [a landlord] always gave me something when I had nothing in the house. Sometimes, he would say "go and bring some wood while you are doing nothing." But he always gave. But the Koeris? Shankar Mahto never gave his kamia anything except on deorha. He would give you money on kamiauti today, and ask your son to start tending his cattle the next day.[89]

The pejorative reference to the Koeri rich peasants, of course, indicates that Koeri peasants were unable to secure the symbolic capital that a malik like Birji Lall enjoyed. The exchange that was suppressed in kamias' relations with maliks was brought into sharp relief in their kamiauti transactions with low-caste rich peasants. In this way, the labor relations revealed themselves as economic exchange at some moments and disinterested reciprocities at other moments. But both these moments rested on the pivot of kamiauti advances. For it was the power of things, singled out and constituted

87 Bourdieu, *Outline of a Theory of Practice*, 171.
88 Keso Bhuinya's oral testimony, Bakraur, February 12, 1982.
89 All other surviving memories of these Koeri rich peasants' relations with their kamias support this description given by Keso Bhuinya.

as loans, that bound the kamia as an unfree person available for subordination either as a contractual laborer or as a dependent subject.

Conclusion

When the colonial government undertook an inquiry into the kamia labor system in 1934–36, it found that labor relations were mesmerized by the power of things, just as the 1930s depression disclosed that agrarian relations were objectified in land. And just as land-tenure laws had shaped the socio-economic processes underlying the objectification of agrarian relations, the juridical economy of rights and duties was responsible for turning the power of things into debt-bondage. Wrapped in this system of rights and duties, when the kamias' juridical status as persons with suspended rights became deeply entrenched and appeared akin to slavery, the British responded with legislation. When laws failed to combat unfreedom, the colonial rulers concluded that the kamias' lacked the desire for freedom. With this admission of failure, the government closed the chapter on the reconstitution of kamias that the late eighteenth century had opened. But while this resignation to failure brought an end to reform efforts, it could not undo the reconstitution of the kamias as unfree laborers bound by their debts. The discourse of freedom articulated in this reconstitution owed its construction initially to colonial documentation, legislation, and administration of slavery and bondage. When combined with the nineteenth-century objectification of agrarian relations, the juridical notion of debt-bondage deployed in colonial practices found itself also articulated in the actions of kamias and maliks themselves. Forming a network of connected practices, the acts of defining and reporting the centrality of kamiauti and rendering them as loan transactions were worked into their relationship by the kamias and maliks. They often enshrined these transactions in documents, and made them the source of their relations. Thus centered, the grant of money, grain, and a small plot of land became instruments for extending the kamia labor system to new groups and areas. Transformed into instruments of debt-bondage and thus shaken loose from the social hierarchy, these advances of things were used by even low-caste rich peasants in acquiring and controlling kamias. But the power of things, when illuminated by the representation of debt-bondage, also made the revelation of these relations as dependent ties possible. Because money, grain, and land expressed the kamia–malik relationship

through their appearance as debts, instead of manifesting it in market exchange, the kamias' position as persons with suspended rights opened them up for domination as dependent subjects of their munificent patrons. Caught in the juridical economy of rights and duties, and dominated as lowly subjects, the kamias found themselves trapped in a network of juridical power and non-juridical domination.

5
Contested power

> Where did he get so many eyes to spy on you with, if you didn't lend them to him? How did he come by so many hands to beat you with, if he didn't take them from you? The feet with which he tramples on your cities – where did he get them from, if they're not yours? How can he have any power except by your own doing? What could he do to you if you didn't protect the thief who robs you, if you weren't the accomplice of the murderer who kills you, if you weren't traitors to your own cause?
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> Etienne de la Boétie, *Discours de la servitude volontaire*, 1943.

Much to the disappointment of colonial officials, the kamias never learned to value freedom. The 1920 Bihar and Orissa Kamiauti Act failed in its attempt to abolish debt-bondage when the kamias showed no interest in using the new law to declare their freedom. The 1934–36 inquiry and the accompanying official attempt to disseminate the message of liberty ended on a somber note when the government admitted defeat in the face of the kamias' refusal to seek emancipation in freedom. The kamias' failure to rise in a heroic revolt, their refusal to rend the sky with the cry of freedom, may suggest that they passively acquiesced to their subordination, that they were as complicit in their own oppression as their oppressors. But this would assume that the juridical constitution of the kamias as people with suspended rights was the only mode of power. In fact, constituted by the discourse of freedom as bonded laborers, and dominated by the landlords as dependent persons, the kamias' subjectivity was marked by these two operations of power. On the one hand, the juridical constitution of power formulated the landlords' domination of the kamias as a matter of rights and duties. Making kamiauti advances into loans, and representing the kamia–malik relations as debtor–creditor ties, this juridical process turned the kamias into persons with suspended rights. But this status as persons with suspended rights, on the other hand, enabled the exercise of those very techniques of domination that the discourse of freedom denounced as violations of the laborer's innate rights to liberty – physical violence, and symbolic and ritual subordination. Of

course, these techniques were older than the introduction of the discourse of freedom to colonial India in the early nineteenth century. Indeed, it was the colonial insistence on the freedom–slavery divide that had turned a critical eye towards the corporeal forms of landlord domination of the laborers. But, ironically, it also lent a new lease of life to such techniques of domination. Because of the juridical constitution of the kamia–malik relations as debtor–creditor ties, an already indebted kamia became a dependent subject of a munificent landlord when escalating transactions of gifts and service lubricated the relationship. Thus, the laborer with suspended rights also became a dependent subject of the patriarchal master who exercised domination through loans, physical violence, material rewards, and symbolic and ritual subordination. At the point of its exercise, therefore, power was experienced in these techniques of domination. And it is against these techniques that the kamias mounted resistance. On and off the paddy fields, in the economy of gentleness and violence, in the kamia oral traditions, and in their spirit-cult practices, domination and resistance were in perpetual combat.

The economy of gentleness and violence

In the reproduction of kamia–malik relations as ties between patriarchal masters and dependent servants, gentle and violent practices of domination complemented one another. For it was through material rewards and acts of physical domination that long-term labor ties were disguised and experienced as disinterested reciprocity between munificent patrons and dependent subjects. But because patriarchal power was secured and exercised in these practices, the resistance against the maliks was also pursued in the economy of gentleness and violence.

The economy of gentleness and violence was evident, above all, in the economic condition of the kamias. Their daily wages consisted of about two and a half seers, or 2 lb, of unhusked grain, and a seer of stone-ground gram as their diet allowance. With work on these wages confined at best to no more than ten months a year, the kamias' poverty during the time that they found work was as evident as their need for assistance when the maliks did not require their labor. By all accounts, maliks provided such assistance. As a result, they were seen as "certainly never in want of food,"[1] and in some areas their conditions appeared relatively secure:

[1] BSA: GOB, RD (Agriculture), September 1902, Proceedings No. 7–10.

These men are well fed and suffer but little in times of scarcity. They get a large proportion of grain during the harvest months; their earnings having a money value of Rs. 5 as compared with Rs. 3 earned by a free hand. Most families have cows and common rights, and pigs are kept by nearly all. A patch of garden land keeps them in coarse vegetables, and during the winter season they get occasional jobs as palanquin bearers.[2]

Although somewhat more favorable than other accounts of the kamias' condition, the above report accords well with the extant evidence. Like other accounts, it suggests that the kamias' poverty fell well short of starvation, and that their subsistence was aided by their larger harvest earnings, when compared to the ordinary laborers. This picture of the kamias' survival, aided by the maliks' acts of gentle domination, changes as we move to the Chota Nagpur region. Here, the kamias' poverty was particularly severe, as the following account vividly describes:

Consider, for example, the case of a kamia who was once observed by a civilian... mixing dust scraped off the road with a small handful of grain. When asked what on earth he was doing, he replied that he was a kamia, that the handful of grain represented his wage for a full day's work, that he found himself unable to satisfy hunger with such a dole unless he increased its bulk, and that experience had taught him that the dust of that particular road was superior to the sweepings of other neighbouring roads.[3]

This Palamau laborer's case may have been exceptional, but by all accounts the kamias' poverty in Chota Nagpur appears to have been extraordinary because of the relative infertility of land and the backwardness of its agriculture.[4] Thus, the kamias employed in cultivating the landlords' expanding estates in this region were only paid wages, given a small plot of land, but otherwise left to fend for themselves during those months when the landlord had no work for them. We do not know how the kamias survived these months, but presumably the produce from their garden plots and some stock of grain from the harvest season enabled them to subsist. The absence of the landlords' patronage during these months did not, however, mean that their patriarchal control was any less. Indeed, they took a keen interest in "the maintenance of the breed of *kamias*, and insist[ed] upon the marriage of the sons at the proper time."[5] But the

[2] BSA: GOB, RD (Agriculture), December 1892, Proceedings No. 41–49, Skrine Memorandum.
[3] BSA:.GOBO, RD (Land Revenue), March 1921, Proceedings No. 12–29.
[4] BSA: GOBO, RD (Land Revenue), October 1936, B Proceedings No. 274–75. On kamias in Palamau, see also Sudipto Mundle's *Backwardness and Bondage*.
[5] *HSR*, 109.

fact that the control over the kamias did not entail supporting them in times of need meant that such a labor system endured because of the harshness of the economic regime. With land monopolized by the Babhan immigrants from the Gangetic plains, peasants deeply indebted, and lands relatively infertile, the kamias had practically no other option. Consequently, they were so numerous and so cheap that even ordinary laborers were compelled to accept the same conditions of employment.[6] But even in this harsh regime, the maliks' gentle acts of domination were visible in matters concerning the reproduction of the kamia family. Thus, in Chota Nagpur, according to one estimate, 85 percent of the kamiauti advances were given for marriages; and the birth of a male child in the kamia family elicited gifts from the maliks.[7]

The opportunity for such displays of generosity was created by two processes. First, the high seasonality of south Bihar agriculture made the kamias dependent on their maliks' assistance when their meager accumulated stock of grain ran out and not much work for wages was available. Second, this dependence was also created by a system of restrictions enforced by violence. These restrictions prevented the kamias from seeking alternative employment for higher wages during the busy agricultural season, and during the slack season, in order to tide over the lean months. Existing records often point out that kamias were not allowed to work for anyone else except when permitted by their masters.[8] They often went to repair roofs of huts, dig wells, or carry loads for peasants when there was no work on the land. This was not done during the transplanting and harvesting seasons when their labor was particularly needed by the landlords themselves. Periods of transplanting and harvesting, and repairing irrigation channels and tanks were not only critical periods for the crop but also times of gang labor. Kamias and their wives were divided into work teams. This division of labour meant that the work of different teams had to be closely coordinated. The malik's agent was there supervising these work teams, making sure that no one person or team caused a breakdown in the chain of tasks.[9] Thus, it is not surprising that the kamia's absence from his malik's fields at this

[6] *PSR*, 92; BSA: GOBO, RD (Land Revenue), March 1921, Proceedings No. 12–29.
[7] BSA: GOBO, RD (Land Revenue), January 1936, Proceedings No. 1–48 and enclosures.
[8] BSA: GOG, RD (Agriculture), December 1892, Proceedings No. 41–249, Skrine Memorandum.
[9] "Shobharan Singh was always there sitting on your head. If one kamia did not come, he would come and abuse everyone. Shobharan Singh moved from field to field making sure that everyone was doing his job. If you were given the job of

time was no minor matter. It not only affected agricultural operations but also questioned the malik's status as a disinterested provider – a status requiring that the kamias attend to the needs of his fields before anyone else's including their own garden plots. So, critical times in the production process were also critical periods in the production of power. At these times, the malik's control over the kamias' time bordered on total. But there were also less strategic periods for production in agriculture and of power when the kamias could work for others, if permitted by their maliks. What is significant about the requirement for permission is that it reproduced the maliks' domination in two ways: first, if refused, the kamias were at the maliks' mercy for subsistence during these lean months; and second, when allowed, the kamias' ability to work and subsist could be traced to the maliks' generosity in permitting him to work for others.

Small maliks, more than anyone else, were in a position to practice these forms of domination. To begin with, they needed kamias more than anyone else. This was noted as early as 1812 when Colebrooke observed that while the large landholders laid claims on the labor of tenants, "the petty landholders, who are themselves cultivators, are aided in their husbandry by slaves, whom they commonly employ as herdsmen and ploughmen."[10] More than a century later, a similar observation was made in a testimony before the Royal Commission on Agriculture.[11] Needing the kamia labor more than large landlords who often extracted forced labor from their tenants, the small maliks were able to enforce their command because they lived in the village. It is not surprising, therefore, that in colonial records such men were often depicted as more oppressive than the big landlords.[12]

These acts of oppression against the kamias, however, had limits. When the very livelihood of the kamias was threatened, they resisted in a variety of ways. Complaints to the courts and the administration was one option that the kamias appear to have used occasionally, as the following account from 1858 suggests:

I have had several cases in which the bondsmen have come forward and complained against the bondholders for not giving food and clothing; at first

uprooting the seedlings from the seed nursery and you stopped to take a breath, he would kick you and abuse everyone else who was working with you." Keso Bhuinya's oral testimony, Bakraur, July 3, 1982. I heard similar accounts in other villages, suggesting that the maliks exercised tight control on the fields.

10 IOL: BJC (CJ), P/137/57, December 29, 1826, No. 13.

11 Royal Commission on Agriculture in India, *Evidence*, XIII (Calcutta, 1928), 268–69.

12 "All district officers said that the petty maliks, mostly Babhans, Brahmans, and Rajputs, were particularly oppressive towards their tenants..." IOL: BGD (Miscellaneous), P/2929, November 1887, File 153–1/2, "Annual General Report, Patna Division; 1886–87."

it was done timidly, the applicant feeling his way gradually and keeping the bond as much out of sight as possible, evidently afraid that because he had given the bond he might be considered bound by it; as I have steadily released each man from any further liability under such bonds, that feeling is now wearing off, and applicants are more inclined to come to the point at once.[13]

It is not surprising that such cases very rarely came before the courts because resorting to legal action implied a complete breakdown of the kamia–malik relationship. To deal with such a breakdown caused by the maliks' oppression, the kamias had a more effective way – flight to another village. George Grierson noted this more usual option in the 1880s when he remarked that "some of these *kamiyas* are beginning to learn their rights, and practically show by desertion that they won't work if they do not get what they consider to be fair wages."[14] That this was an enduring pattern of resistance is attested by the Gaya Settlement Officer's observation three decades later that the kamia, when ill-treated, ran away – sometimes to Calcutta or to the coalfields in Chota Nagpur, but more generally to another malik in a different village.[15] One such incident of flight to another village, recounted in an oral testimony, involved a kamia named Keso Bhuinya. From the reference to the 1934 earthquake in the testimony, it appears this incident occurred in the late 1930s when Keso Bhuinya went away during transplantation time to his wife's village and stayed there for nearly four days. "When I came back, Birji Babu did not even ask me why I had been delayed. He himself picked up an iron rod and beat me until I was unconscious."[16] Keso ran away to his wife's village and stayed there for three and a half years.

Of course, such kamia flights to other villages or to cities and coalfields represented extreme cases in which economic or physical violence had counter-productive effects – they brought the kamia–malik relationship to an end. But this slippage into extremities was an inherent risk in a form of power that edged towards total domination. Violence, after all, as oral testimonies vividly describe, was an ordinary part of the maliks' exercise of power.

When Shobhran Singh [the landlord's agent] stood on top of the estate office and called the name of a kamia aloud, he went running to him leaving whatever he was doing. If you were not there within three such calls, he would

13 IOL: BJP (CJ), P/146/15, March 17, 1859, No. 290.
14 See note 12.
15 *GSR*, 63.
16 Keso Bhuinya's oral testimony, Bakraur, July 3, 1982.

send the gorait to your house. If you sat down in the paddy field to chew some tobacco, the gorait again would be there at once, kicking you to start work again.[17]

The landlord's men often announced their arrival at the kamia houses to summon them for work by kicking their pots and pans, boxing their ears, and pulling their hair. While oral testimonies make it very clear that the exercise of violence was almost a daily feature of their lives, it is understandable that written records did not take much notice of this feature of kamia life. After all, the daily use of violence made it ordinary, too much part of the normal social life for colonial scribes to take notice. Even when the use of violence was considered excessive, as in Keso Bhuinya's case – and such incidents were many – it did not come to the notice of the colonial administration because it did not threaten the prevailing order of law. But, however common, such violent exercises of power – when combined with the restrictions on working for others that the kamiauti bonds imposed on the laborers, and the claims on the labor and persons of the kamia women that the bonds provided for and the maliks enforced – amounted to complete domination of the kamias. But this tendency towards total control was a double-edged weapon. While these techniques of power secured the maliks' control over the kamias, their exercise also ran the risk of threatening the very relationship. Thus, when Keso Bhuinya deserted his malik and ran away, it was not because of violence itself. Instead, as his statement suggests, it was because he was beaten without even being asked why he had stayed away at his wife's natal village for three or four days. From his point of view, the malik's quick use of the rod reflected a failure in his patriarchal role. From the malik's point of view, on the other hand, Keso's absence at the critical time of transplantation represented a critical breakdown in domination that required immediate correction. This quick remedy, however, led to opposite results as Keso ran away to his wife's village and stayed there for more than three years. This termination of the kamia–malik relationship was only undone when, in the fourth year after Keso Bhuinya fled from Bakraur, his malik came to Sakhwara (his wife's natal village, about five miles to the west of Bakraur) on an elephant.[18] Re-establishment of dependent relations was thus once again accompanied by a display of force that invoked the image of royal power. Keso received clothes and

[17] I came across numerous accounts about how casually the maliks' agents used violence on the kamias. Sometimes, kamiauti bonds even provided for the use of force in preventing the kamias' flight from the village (see Appendix).

[18] Keso Bhuinya's oral testimony, Bakraur, July 3, 1982.

some rice as a mark of favor, and he returned to Bakraur after a few days. Although he was not beaten again in the same manner, violence by the landlord's agents and the grants of grain on ritual and other occasions resumed as before.

As Keso Bhuinya's example shows, the exercise of domination could easily have effects opposite to the ones intended. In addition, such attempts at complete domination also produced a whole range of subtle challenges to the maliks' control. In Michel Foucault's terms, the "super-power" of maliks faced the "infra-power" of kamia resistance.[19] Take, for example, the provision that restricted the kamias from working for others without the maliks' permission. This provision was flouted regularly during the slack season in agriculture when, without their maliks' consent, the kamias sought work from their peasant neighbors or in nearby villages. Such violations of the landlord domination, however, did not represent a radical challenge. The failure to seek the landlord's consent, after all, was to avoid the risk of being denied the permission to work for others. For if after being denied the kamias still worked for others, they risked a violent retribution. Then, as Keso Bhuinya explained, the landlord's agent "thrashed you, broke your pots and pans, and took away anything he pleased. But, if you did not ask him and he found out, you could still make up some excuse."[20] The important point to note is that physical punishment was provoked only when the kamia's actions appeared to meddle with the malik's unquestioned domination. If a kamia went to work when he had been told not to, it was interpreted as a challenge requiring infliction of punishment on his body. Kamias accepted this, and tried to avoid any direct defiance of authority. In failing to ask for permission, kamias avoided the risk of direct defiance because, as is evident from the above account, it could invite disaster. Faced with zealous policing of the landlord's power, kamias usually resisted in ways which did not constitute open challenge to the landlords. Dodging and ducking, rather than refusing, the landlords' domination, the kamias acted in ways that allowed the maliks to recognize resistance as faults in the kamia personality. To maliks, the kamias appeared as lazy workers and congenital liars. Echoing this sentiment, Chandra Shekhar Lall (Pyare Lall's grandnephew) complained that kamias shirked work, doing much less in a day on the malik's land than what peasants did on their own fields:

[19] Michel Foucault, *Discipline and Punish: the Birth of the Prison*, tr. Alan Sheridan Smith (New York, 1979), 87.

[20] Keso Bhuinya's oral testimony, Bakraur, July 3, 1982.

They pretended to be sick when they were not. They would hide in their houses, instructing their wives to tell lies to the gorait that they were ill. But they would come just in time to do a little bit of work and get their 2½ seers [of grain as wages] and their sattu (stone-ground gram). They were like that.[21]

As long as the kamias did not flaunt their defiance, as long as they pretended to be sick rather than express their unwillingness to follow a strict regimen of work, their daily acts of resistance, as the above statement suggests, limited the maliks' exercise of power. But insofar as resistance was disguised as acquiescence, such acts also acknowledged the maliks' dominance. Entangled in this play between power and struggle, between resistance and acquiescence, the reproduction of kamia–malik relations became a complex matter. On the one hand, extraordinary acts, such as flight to another village or to the city, and ordinary acts, such as concealed resistance, forced the maliks to practice gentleness with violence. Supporting the kamias when required, and overlooking their work for others when their labor was not needed on their own fields, the maliks created a basis for subjecting the laborers to a system of restrictions and to the exercise of economic and physical violence. On the other hand, because the maliks' extravagant claims to dominance, expressed by their "super-power," were secured in confrontation with open and concealed acts of resistance, the laborers' subjectivity contained a combination of domination and resistance. Neither passive victims nor revolutionary opponents of power, the kamias were complicit in the domination that they resisted.

Oral traditions and contested domination

A similar tension between domination and resistance is also visible in the Bhuinya oral traditions. Remembered, transmitted, and performed for ritual purposes, these epics told stories about the Bhuinya legendary ancestors, such as Tulsi Bir. Sung at marriages, these traditions historicized the Bhuinya identity by narrativizing it in terms of mythic persons and events. The form of this historicization, as a previous chapter has suggested, reflects the Bhuinya history as outcaste kamias. But in historicizing the Bhuinyas' status as outcaste kamias, the oral traditions also had two important effects. On the one hand, they made the Bhuinyas' outcaste and dependent status historical rather than natural. On the other hand, because what they

[21] Chandra Shekhar Lall's oral testimony, Bakraur, September 5, 1982.

historicized was caste hierarchy and kamia–malik relations, the oral traditions renewed and regenerated the kamias' dominated existence as outcaste dependent laborers. Thus, at the same time that the oral traditions reconstituted the Bhuinya identity in historical, and therefore, contestatory terms, they also reaffirmed their dominated existence as the outcaste kamias of the upper-caste maliks. The following interpretation of the pollution and the seized bride clichés shows how these two processes occurred simultaneously.[22]

Of the two clichés that the Bhuinya oral epics contain most frequently, the first one exists in the form of a plot outlining how the legendary ancestor of the Bhuinyas acquired a low ritual status in the caste hierarchy because of his contact with objects regarded as polluting by the Hindus. The oral performers elaborate the formulaic plot by interjecting other formulaic images, plots, and sub-plots at different points, heightening the drama by deferring the end with constant twists and turns in the plot. Of the three available versions of this elaborated cliché presented in an earlier chapter, the first two, published in 1906 and 1935, give what appear to be highly condensed summaries of the plot, perhaps leaving out the details that the authors of the published texts considered superfluous. Abbreviated as they are, a comparison of these versions with the one that I recorded in 1982, still discloses that all three versions hinge upon the formulaic core plot. Of course, how this core plot is elaborated and made into a complete narrative shows enormous variation. While these variations over time disclose how Bhuinyas have constantly redefined and transformed what it means to be a Bhuinya, the interpretation of the cliché reveals that power and struggle have been constant features of the Bhuinya narrativity.

The pollution cliché consists of a core plot describing how the apical Bhuinya ancestor, called Rikhmun or Rikhiasan in the earlier versions but equated with Tulsi Bir in the third version, acquired an unclean or outcaste status. The plot begins with the ancestor performing labor that was required of him. In two versions, this labor, consisting of repairing a breached embankment, is made the cause of his pollution by the superior powers who trick him into eating beef or the flesh of an unclean animal. In the remaining version, he is asked to remove the carcass of a dead calf; later, Hindu gods impose an unclean status on him because he had eaten fruit from a tree that had grown on the spot where the dead calf had lain.

[22] In Chapter 2, I have already introduced these clichés and presented the narratives in which they are included.

Like other South Asian lower-caste traditions, these three versions of the pollution cliché can be interpreted as origin myths concerning ancestors with whom the Bhuinya existence as an outcaste began. The first two versions speak of the degradation of Rikhminia, a compound of two terms for renunciating sages, *rishi* and *muni*. The choice of a renunciating sage, a person who lives outside society, enables the oral text to represent the fall in status dramatically. The third version achieves the same effect by making Tulsi Bir an ancestral figure who signals the very beginning of the Bhuinya existence, the point of absolute origin. All three, then, establish the point of the origin before which no pollution could even occur. Leaving the variations aside for the moment, it is clear that in all three versions the core plot describes the consequences of acculturation; the original ancestor's good deed, his participation in culture, ending with the acquisition of an outcaste status. The low status of the Bhuinyas, therefore, is interpreted not as a natural fact but as a consequence of the cultural incorporation of the natural and original state. This can be contrasted with the Hindu theory about the origin of the varna.

First mentioned in the Rig-Vedic hymns, the four varnas – the classificatory basis for castes or *jātis* – arose, according to classical Hindu theory, from the body of primeval man; from his mouth arose the Brahmans; his arms gave birth to the Kshatriyas; the Vaishyas came from his thighs; and from his feet were born the lowly Shudras.[23] Recognizing that the varnas are not the same as the sociological grouping known as jati, we must still note that this theory seeks to account for the basis of castes. It invests, marks, and brands the primeval body with hierarchy, but regards the thus acculturated body as its natural state; the birth of the orders, then, becomes the corporealization of the hierarchy naturally engendered by the body. For the Hindu theory, varnas, and by direct implication jatis, are natural rather than cultural. According to the pollution cliché of the Bhuinya oral traditions, on the other hand, the Bhuinyas became outcastes only when the natural body of the primeval Bhuinya was acculturated. Here we should note the two important points that the cliché makes. First, labor, whether involved in disposing of the carcass of the dead calf or in repairing the breached embankment, was what brought on pollution. The Bhuinyas were a laboring group not because they were polluted; rather, it was because they engaged in

[23] Cited in A.L. Basham, *The Wonder that was India* (London, 1954; rpt. Calcutta, 1981).

practical activity that they became polluted. Second, the unclean status was imposed rather than willingly acquired. Together, both these points imply that when the primeval Bhuinya acculturated nature, his body was made the corporeal locus of acculturation by the others who invested, marked, and branded it with hierarchy. Because the Bhuinyas that thus emerge from the oral epics are culturally rather than naturally engendered, they become different from what they were already. If hierarchy already interpreted them as an outcaste produced naturally by the primeval body, the oral text made them a culturally produced outcaste. Thus, in the Bhuinyas reconstituted by oral traditions, hierarchy shoulders the burden of being an historical imposition rather than a fixed natural fact. In this sense, becoming does not mean repetition and reproduction of the same; rather, it involves a movement from one cultural interpretation of hierarchy to another. If power relations embodied in caste hierarchy are regenerated in this process of reconstitution, it is not as a result of an original event but as a consequence of the originating activity of the oral performance that ceaselessly renewed and reorganized what it meant to be an outcaste Bhuinya. And if power relations were reproduced in this process, we should note that the oral epics also contested the terms of their subordination. For example, when the Bhuinyas historicized their polluted status, they reopened the question as to why they occupied an outcaste status; and when they attributed their outcaste status to others' spiteful actions, they illuminated their low status in a critical light. Thus, they displaced the question of why the Bhuinyas are an outcaste with the question of how they became an outcaste, thereby making historical consciousness the means for reformulating the social reality. What we are inclined to consider "mythic," what we are predisposed to interpret as cultural operations by which the Bhuinyas make sense of the world, turn out to be discursive practices that resisted the implications of hierarchy even as they operated within its parameters.

If the pollution cliché questioned labor relations by implication, a more direct resistance can be observed in another cliché that occurs frequently in the Bhuinya oral traditions. This cliché, fully described along with other clichés in a previous chapter, exists in the form of a formulaic plot describing how a Bhuinya bir seized a woman of chiefly lineage for marriage. According to the core plot, a Bhuinya bir took it upon himself to seize a woman of chiefly lineage and after defeating the leading warriors of her army and freeing his imprisoned ancestors, he married her. When performed, the core plot was elaborated with numerous twists and turns in the narrative,

and the image of Tulsi Bir as a warrior was embellished with descriptions of his control over vast areas of land, with the depiction of a large number of kamias working his lands, and with accounts of his Sanskritic practices, such as having a Brahman priest for his son's birth ceremony. Leaving the Sanskritic aspects of the image for later discussion, what is of interest to us here is that a warrior status for the bir was claimed by equating marriage with conquest. Any such claim by a lower caste or an outcaste amounted to assertion of a status denied them by the caste hierarchy. In the Bhuinyas' case, such a claim was especially significant because of their position as kamias. The heroic warrior status asserted by the seized bride cliché negated the dependence on the maliks that the Bhuinyas, as kamias, experienced and renewed when they entered into kamiauti agreements with the maliks in getting their sons married. Although a kamia required the malik's help on numerous occasions, the money, grain, and sometimes a small plot of land that he received from the malik at the time of his son's marriage was a strategic deployment of the malik's resources. The grant of material resources at this time made the Bhuinya familial reproduction dependent on the malik's munificence, and thereby transformed a rite of passage into adulthood to a rite of passage into dependence. It was this conditioning of the Bhuinya familial reproduction on the enactment of the kamiauti transactions, the inscription of marriage with the writing of kamia–malik relations, that the bride seizure cliché contested.

In suggesting that Tulsi Bir was a warrior, as the seized bride cliché did, the oral traditions challenged the nature of control that the maliks exercised over Bhuinya marriages through kamiauti transactions. As a heroic warrior, the bir did not have to subject himself to the control exercised by the maliks; he seized his bride forcibly, and fought and defeated those who opposed his marriage to a woman of chiefly lineage. Unlike romantic tales, the woman's wish is not even considered; if anything, she resists the bir. There is not even a suggestion of desire for her; she is chosen for forced marriage only on account of the fact that conquest over her represents Tulsi Bir's warrior status. She exists only as a bride of chiefly lineage, as a prized object whose forcible possession enables the plot to advance the claim that the Bhuinya bir was a warrior who possessed sole control over familial reproduction. Like the pollution cliché, the above oral text reconstituted Bhuinya history in terms that contested the identity given them as kamias. It suggested that the maliks had not always exercised power over Bhuinya marriages; in fact, the Bhuinya ancestors had been warriors who, possessing the same status as

maliks, controlled familial reproduction. Striking at the very heart of power relations embodied in dependent labor relations, it disputed the identification of marriage with bondage; if the Bhuinya marriage in the past did not always lead to bondage, then their position as dependent laborers of the upper-caste maliks was not a fixed and eternal condition but a purely historical moment in their existence. So, the oral traditions transformed the Bhuinyas from a group eternally dependent on the maliks to a group whose existence was characterized by change. In this sense, the seized bride cliché made the Bhuinyas into something they were not already.

If the Bhuinyas resisted power by formulating, transmitting, and performing contestatory oral traditions over centuries, making themselves always different from what they already were at any given moment, we should also note that the terms of resistance were drawn from the relations of domination. This is evident in the fact that the central figure in the cliché, the warrior, was patterned after the malik who enjoyed social domination because he embodied the principles validated by power. The malik was a martial figure: he controlled land, he commanded men, and his marriage, too, was styled as conquest. Force, battle, command, control, and conquest were all key elements that defined the malik's dominant position. The Bhuinya bir also embodied these elements: he lived a martial life; he defeated the enemy chiefs; and avenged his honor by seizing a woman from the enemy clan for marriage. In oral performances, the narrator elaborated this image by making the bir a landed lord who commanded warriors, peasants, and even kamias. Thus, it was the existence of the malik's cultural style, authorized by power, that enabled the Bhuinyas to struggle against it. This suggests that the terms of power had both empowering and contestatory moments: on the one hand, caste hierarchy and the image of landed power constituted the Bhuinyas as outcaste kamias; and on the other hand, these notions also became the basis for the contestatory reconstitution of the Bhuinyas.

Over time, these Bhuinya attempts at contestatory self-construction underwent a discernible change, although the preservation and transmission of clichés over centuries appears to lend a certain fixity to the oral traditions. But since the transmission of neither the cliché nor the images and plots was controlled, as is the case where sacred words or lists of kings are concerned, the oral traditions were not fixed. This was partially due to the fact that the performers had considerable room to innovate. They could scan the available repertoire of images and plots and string them together into

an extended elaboration of the formulaic core plot. In this sense, every performance was unique, every representation of the Bhuinya past different from another. Now, because we do not have records of each performance over centuries, we cannot delineate the content of each transformation. But a comparison of the three versions of the pollution cliché will illustrate that the oral traditions constantly transformed what it meant to be a Bhuinya. Although the abbreviated nature of the first two versions limits the scope for comparing the content of transformations involved in Bhuinya self-constructions, two important changes are still clearly evident from the way the core plot was elaborated in the three versions. The first concerns the very figure of the Bhuinya ancestor, and the second change relates to the responsibility attributed to others in causing Tulsi Bir's pollution.

The change in the description of the ancestor, causing a shift in how the ancestors' fall in status was represented, is clearly visible in the three versions of the pollution cliché. In the first version, the tradition claims that the ancestor was a heroic figure, but the claim is elaborated by showing that he and his brothers repaired the breached embankment after everyone else had failed. What it privileged was the act of repairing the embankment which gave the ancestor the name Bhuinya. With the name representing a reward rather than a punishment, the tradition suggested that the Bhuinyas owed their original position to their valuable labor rather than ritual purity. By this narrative twist, ritual status was turned into an instrument of the Bhuinyas' incorporation in the caste hierarchy – an incorporation that transformed a ritually unmarked group, capable of performing miraculous feats, into an unclean caste. The second version, on the other hand, begins by asserting that the ancestor's original position was ritually pure. He was the younger brother of the Hindu god, and when he went to bathe, he wore wooden sandals to protect himself from polluting agents. His exalted position was not due to any feats that he performed: he was born ritually pure. The transformation in this version, therefore, was from ritually pure to impure. In the third version, like the first, the repair of the embankment forms the principal means for claiming that the Bhuinya ancestor, Tulsi Bir, was a heroic figure who was rewarded for his miraculous feats with grants of land. But this version also uses a host of other images to exalt Tulsi Bir's status; the Babhan landlord came to his door requesting him to repair the embankment even though his father had been a laborer on the landlord's estate; after the lords granted him villages as a reward, he cultivated them with his own kamias; priests,

warriors, and others flocked to his estate for employment. From this position of a landed heroic figure, Tulsi Bir fell to the status of an unclean caste. This version too, like the first, represents pollution as the mode of incorporation of the Bhuinyas in the caste hierarchy, but, unlike the first, the ancestor is not simply a person with miraculous powers: he is a landed chief, with his own army of warriors and kamias. Such variations in the description of the ancestor enabled the different versions to incessantly change the meaning of the narrative. While the three versions spoke of how Bhuinyas became an unclean caste historically, the different figurations of the ancestor enables each of the three to interpret the historicity of the Bhuinya status differently.

A similar difference is also evident in the way the three versions describe the process of ritual pollution. In all three versions, the performance of labor becomes the occasion for pollution, but it is not labor itself that leads to the ancestor's unclean status. In fact, the first and the third versions exalt labor and attribute the ancestor's subsequent short-lived glory to this labor. Even in the second version where the contact with the dead calf is considered demeaning, the pollution is not irreversible. What is significant, however, is the way in which the three describe the subsequent turn of events. The second version suggests that Tulsi Bir became unclean almost inadvertently; he realized the danger of pollution and initially declined to touch the animal carcass; his subsequent pollution was the result of a conspiracy of circumstances. Even though the unclean status was imposed by Bhagwan, Tulsi Bir himself was partially responsible for his pollution. The other two versions, on the other hand, attribute pollution quite clearly to the deliberate intentions of the others. But the first version qualifies the deliberately engineered pollution by suggesting that it was nature's retribution. The third version, on the other hand, enlists the aid of the entire organic universe in acculturating nature. For this text, pollution was a dirty trick played on Tulsi Bir by gods revered by the upper castes. Attributing the pollution to malice enables the narrative to end with Tulsi Bir avenging himself, thus magnifying the contestatory meaning of the cliché.

The variations in the three versions of the pollution cliché show that the very elaboration of the core plot with other plots and images transformed the contestatory meaning of the cliché. Although such changes were not linear, it seems that the more recent performances rework and reinterpret previous plots and images in a fashion that

claims a warrior status for Tulsi Bir more stridently. Thus, while the first two versions also assert a superior position of the Bhuinya ancestor, it is the third version that elaborates this much further by giving him all the possessions of a landed malik. Attributing malice and seeking vengeance, the more recent version also magnifies the contestatory dimension of the oral traditions. While recognizing this, we should not lose sight of the fact that what provides the basis for more self-conscious struggles are the clichés that have existed for a long time as a contestatory representation of the Bhuinya identity. Thus, it is in the very existence, transmission, and performance of these clichés that we can locate the constitution of the Bhuinyas' contested domination as outcaste kamias.

Land, labor, and spirits

The theme of contested domination, located so far in the landlord–labor interactions on and off the fields, and in the transmission and performance of oral traditions, can also be identified in spirit-cult practices. But, in addition to demonstrating that domination and resistance were in perpetual combat in the reproduction of the kamias' subjectivity, the spirit-cult practices also provided a critique of social relations founded on private property in land. For when the spirit world was made to parallel the world of kamias and maliks, a critique of the land, labor, and spirits nexus often turned into a critique of the land, labor, and money relationship. Of course, none of this was intentional. In fact, the fantastic representation of the maliks' dominance as well as the critique of social relations were both articulated in the pursuit of practical aims of spirit-cult practices. These aims concerned the relation between the living and the dead. After all, a kamia was not just a laborer but a Bhuinya with a past and a future, with ancestors and descendants, a living person who defined himself in relation to the dead. Nor was a malik just a landholder, but a person with a caste status, who also had to define himself in relation to his ancestors. Thus, the spirit-world was a field with highly charged meanings, a field that could not escape from the representations of the malik's power and kamias' subordination.

Ancestor cults, ghosts, and witches loomed large in the lives of all social groups in south Bihar. Lower and upper castes, laborers, peasants, and landholders, all propitiated ancestors in annual and life-cycle rituals, and appeased ghosts and witches whenever they appeared to be angry. Dismissing these practices as products of a "rude mind," L. S. S. O'Malley wrote in 1906 that such spirits in Gaya

were classed as *dak-bhut*.[24] Ancestors, daks, and bhuts were distinct but interconnected elements in the larger spirit world. What was common to all three was that they were different forms of the spirit of the dead. When a person died, it was believed that his soul survived and continued to make claims on the living.[25] Death was thus culturally denied, and it was posited that physical death freed the soul from its bodily form. The passage of the living to spirit, from death to regeneration, implies that the spirit-world was not separated from the living. They were both distinct but related parts of an organic universe in which a cyclical flow between different forms ensued endlessly. Spirit-cult practices secured the endless passages and transactions between contrary categories within this world. Little mounds of clay called *pindas* were made and installed in a section of the house called *sirā-ghar* by the living to represent the dead in their new form of life. Offerings were made to these ancestors in annual and life-cycle rituals. All castes had these sira-ghars, pindas, and ancestor cults, and offerings and libations were made to ancestors not only out of respect to their claims over the living, but also because of the power ascribed to spirits in general.[26] Shorn of their bodily form, the dead in their new life could see and predict things that the living could not, and were therefore able to prevent the occurrence of misfortune.

While all spirits were attributed a power not available to the living, the power of spirits was sharply differentiated. To begin with, there were ancestors whose spirits, called *pitr*, appear to have been largely benevolent. Then, there were legendary ancestors – such as Ban Singh among the Bhogta caste, and Tulsi Bir among the Bhuinyas –

[24] *GDG*, 74, 77. The term bhut means ghost, and dak stands for a sorcerer. But the two terms are used by people as a pair in referring to spirits. When dak is used separately, it is almost always to refer to the spirit of a dead sorcerer.

[25] This belief is evident in the following statement made by Karu Manjhi who as a young boy moved from his parental village Kajri to his wife's home in Sheorajpur sometime before 1914–15. "My father died a long time ago [sometime before 1934]. He died in Kajri. Since I had come to Sheorajpur, I made a shrine for him here. Although his mortuary rite was done in Kajri and his body joined the soil there, his *preta* would have wandered around in Kajri causing problems if I had not made a shrine for him here." Karu Manjhi's oral account, Sheorajpur, February 6, 1982.

[26] Interestingly, in proverbs dealing with agriculture, foresight was attributed to spirits. This is evident in aphorisms noted by George Grierson in the late nineteenth century. "If Aradra [the lunar asterism corresponding with the end of June and the beginning of July] does not rain at the commencement, and Hathiya [the lunar asterism corresponding with the first fortnight of October] at its end, saith Dak, hear, O Bhillari, the cultivator is crushed." See Grierson's *Bihar Peasant Life*, 276. Another similar proverb recorded by Grierson was the following: "'When the clouds fly like the wings of the partridge, and when a widow smiles,' saith Dak, 'hear, O Dakini, the one is going to rain and the other to marry'" (p. 280).

whose power was also largely benevolent but was attributed to the heroic character of their lives, although they too were spirits.[27] Finally, there were daks and bhuts who were enormously powerful and who could be both benevolent as well as malevolent. Daks and bhuts were ghosts of those who had died unnaturally. Within this group there was a large number of powerful spirits.[28] There was the particularly powerful and feared *churail* or *kichin*, who was the spirit of a woman who had died in childbirth. Equally powerful were *baghauts* – spirits of those killed by tigers in the west of the district; *barunis* and *langhandaks* were spirits of those who had died accidentally outside their own villages, who hovered in undefined lands and jungles between villages and at crossroads. Even ancestors could become powerful daks and bhuts if they had been *gunis* or sorcerers during their lives. Because they had dealt with spirits in their lives and had control over some daks and bhuts, they became powerful ghosts after their deaths. In village Sheorajpur, for instance, Ramjani Bhuinya was a sorcerer who communicated with spirits and was believed to have control over several daks. After his death, he became Ramjani Dak and was installed by his descendants as the family's patron deity.[29] Significantly, legendary ancestors never became ghosts. For instance, Dharha, the legendary ancestor of the Dhangar caste, did not become a ghost although he had died an unnatural death.[30] Clearly, spirits, in so far as they mediated life, the living and the dead, were believed to have power different from that of heroic legendary ancestors. As spirits, ancestors possessed the power to affect the lives of their descendants. If, in their lives, these ancestors, like Ramjani Bhuinya, bridged contrary categories, partook the power of the living and the dead, their spirits became all the more powerful: they became daks and bhuts.

From the varying power of different spirits to affect the living, the distinctions drawn between legendary and real ancestors and between ancestors and other spirits, it is clear that the cultural classification of deaths was of critical importance in ordering the spirit world. The least powerful were spirits of those ancestors who had died natural deaths.[31] These were cases of what Maurice Bloch and Jonathan

[27] *GDG*, 78. I did not come across any account of spirit affliction caused by heroic ancestors such as Tulsi Bir.

[28] *GDG*, 77.

[29] Karu Manjhi's oral testimony, Sheorajpur, February 6, 1982.

[30] *GDG*, 78.

[31] Most accounts of spirit affliction concerned ghosts rather than ancestors who had died natural deaths. In speaking of cases of spirit affliction by powerful spirits, informants mentioned daks and *dāno* (demon) rather than ancestral spirit. The few

Parry call "good deaths."[32] Such deaths enabled the living to define death as a controlled event – as a regeneration of life in a different form. In upper-caste Hindu mortuary rites, the new life was created by cremation.[33] In the case of the Bhuinyas, it was the burial of the remains after cremation which regenerated the dead. But whether cremated or buried, both reconstituted the organic unity of the socially constructed universe by representing the culturally reconstructed death as transition to a new life. Connecting life and death in this manner, the death rites of the outcaste Bhuinyas and the upper-caste Hindus also articulated two principles that Bloch and Parry identify in mortuary rites generally.[34] First, the notion of regeneration made time cyclical. With this cyclical view, individual biographies and change were denied and social order became eternal.[35] Second, insofar as regeneration of life was the function of mortuary rites, the role of sexuality was explicitly denied: birth was not a function of male and female union but the consequence of the cyclical flow of life in different forms.

The denial of sexuality in reproduction was evident in the fact that women were neither remembered and propitiated as ancestors, nor did their spirits survive. In fact, the only female ghosts that existed were those who were believed to be evil. These were kichins or churails, the spirits of women who had died during pregnancy or childbirth. This gendering of the spirit world into powerful but evil female spirits and powerful but equivocal male spirits complemented ritual strategies that reproduced the social universe as a cycle of death and regeneration. When this cycle was disrupted by the women's death during pregnancy or childbirth, the very representation of birth as the cyclical flow of life in different forms was in danger because

cases of harm caused by ancestors that I came across involved insufficient propitiation of ancestors. For instance, Keso Bhuinya's father was once afflicted by his ancestors when he slighted them with insufficient offerings. Keso concluded this account by remarking that ancestors were "quiet spirits. They sit and watch over you, they protect you." (Keso Bhuinya's oral testimony, Bakraur, February 12, 1982).

32 Maurice Bloch and Jonathan Parry, "Introduction" in their edited volume *Death and the Regeneration of Life* (Cambridge, 1982), 15.

33 For more on this point, see Jonathan Parry, "Sacrificial Death and the Necrophagous Ascetic," in *Death and the Regeneration of Life*, 76–78, and Veena Das, "The Uses of Liminality: Society and Cosmos in Hinduism," *Contributions to Indian Sociology* (n.s.), 10 (1976) (hereafter *CIS*).

34 Bloch and Parry, "Introduction," 10–11, 18–21.

35 It is significant that while ancestral spirits were shorn of any individuality and were recognized as belonging only to the collective world of ancestral spirits, the Bhuinyas and upper-caste Hindus remembered their ancestors going back to several generations and could recall events illustrating their individuality.

such moments foregrounded reproduction in sexuality. Ritual practices responded to this danger by first equating the dead woman with her body, and then by embodying her evil spirit in a disfigured body. Such an evil spirit was "known by the fact that her feet are turned backwards and she has no mouth. She is specially feared by women, but sometimes she seduces young men and kills them by a slow process of emaciation."[36] Being her body, a dead woman transcended it and became a spirit only to deploy her disfigured body in devouring other bodies. And if a living woman transcended it by communicating with spirits, she (unlike male sorcerers) became a witch (*dāyan*).[37]

This gendered spirit world, then, was an expression of ritual strategies devoted to an orderly reproduction of the social universe. Crucial to these strategies was the classification of deaths into "good" and "bad". The first kind of death enabled an orderly reproduction of the social universe because the spirits of such incorporated dead ancestors were controlled, and the role of sexuality in reproduction was denied. The spirits of such dead ancestors were, therefore, not female, capricious, and malevolent but male, benevolent, relatively weak. When slighted, they could cause harm. But in general, their ordered cultural incorporation into cyclical death and regeneration made them less of a threat. Untimely deaths, on the other hand, were uncontrolled events. They represented disharmony in the reciprocal exchange between contrary forms of the world. These were "bad deaths" and their power was enormous and unpredictable. In Gaya district, the most feared ghost, called Raghuni Dak, was produced by one such "bad death."[38] This ghost arose when a Babhan landlord, suspecting his kamia of illicit relations with his daughter, killed them both and then committed suicide. The ghost Raghuni Dak stood for all the three spirits. Born out of the suspected crossing of caste boundaries in real life, and representing a union of contrary categories in the spirit world, Raghuni Dak was particularly feared. But whereas Raghuni Dak was powerful but equivocal, the female ghosts were undeniably evil because they represented deaths that exposed reproduction to the capriciousness of birth and death in human life.

If the orderly reproduction of the social universe engendered a

36 *GDG*, 77.

37 According to Keso Bhuinya, his grandfather moved from the village Karhari to Bakraur because a dayan, whose identity was never found out, had killed Keso's uncle. Keso Bhuinya's oral testimony, Bakraur, February 13, 1982.

38 *GDG*, 77.

gendered spirit world, it also immersed ritual practices in the caste hierarchy. But the ordering of castes, and the tensions inherent in the separation and interaction of castes were reflected and represented by spirit cults. Thus, although both upper and lower castes propitiated ancestral spirits, the upper-caste landlords placed their ancestors in a world created by the Sanskritic Hindu cosmology; and they subordinated spirit-cults – a field inhabited by the Bhuinya ritual specialists and wandering ghosts of low castes – to Hindu beliefs by bending the ritual practices to conform to the existing social order.

One exemplification of these tendencies was evident in the upper-caste rites of ancestor propitiation that placed ancestral spirits in a world created by Hindu cosmology. Called *srāddha*, Hindu pilgrims from all over India came to Gaya for these mortuary rites for their ancestors. And like Hindus from elsewhere, upper-caste men in Gaya also participated in this annual ritual.[39] Offerings were made to ancestral spirits in the Vishnupad temple at Gaya, at the Phalgu river, and at the Pretasila hill. Vishnupad is a sacred Vaishnavite temple where pilgrims as well as local upper-caste Hindus went to seek Lord Vishnu's blessing in rescuing their ancestors' souls. The Phalgu represented Vishnu and was believed to be the place where Sita (the wife of Rama in the epic Ramayana) propitiated Rama's father Dasaratha. At the Pretasila hill, Yama – the lord of hell – was propitiated so that ancestral spirits were protected.[40] Thus placed in this Hindu world with its rich cosmology, the upper-caste Hindus were able to extricate their ancestral spirits from the world of lower-caste bhuts and daks. The danger of a Bhuinya sorcerer communicating with and controlling an upper-caste ancestral ghost was thereby removed. Furthermore, as Hindus saw the universe animated by the presence of different manifestations of purity, the world outside it appeared impure – an impurity regarded appropriate for the low and outcaste ghosts, and requiring the ritual expertise of the Bhuinyas in Gaya and "tribal" groups in Chota Nagpur.[41] Thus the ghost world was both separated from and subordinated to upper-caste Hindu ideology.

Although the upper-caste Hindus were able to bring their ancestral

[39] Oral testimony of Chandra Shekhar Lall, Bakraur, September 4, 1982.

[40] This description is drawn from *GDG*, 62–72 *passim*.

[41] Throughout southern Gaya, the Bhuinyas were regarded as ritual specialists in spirit-cults. S. C. Roy reported in 1932 that throughout Chota Nagpur the descendants of the earliest settlers acted invariably as ritual specialists in spirit worship. See his "Report of Anthropological Work in 1930–31: Chotanagpur, the Chutias and the Bhuiyas", *JBORS*, 18 (1932), 51–78.

spirits under the protection of Hindu gods, they could not do away with the spirit affliction that they were exposed to in interacting with the lower orders. And so when a little more than sixty years ago a Kayasth landholder of a village near Bodh Gaya found his cattle dying suddenly, he consulted a sorcerer.[42] In the course of questions that the sorcerer asked in order to diagnose the nature of the spirit affliction, the Kayasth reportedly made a revealing admission. He disclosed that he had failed to return a cow to its owner in a neighboring village when it wandered into his yard along with his own cattle, when they returned from that village where his kamia had taken them to graze. Upon hearing this, the sorcerer revealed that it was a ghost called Jaibir Dak from that neighboring village who was responsible for the Kayasth's misfortune. He also declared that the offended ghost could only be appeased with the sacrifice of a pig. Being an upper-caste Hindu, however, the Kayasth landlord would not agree to offer a pig in sacrifice. Nor would he place within his courtyard a ghost who demanded pigs. Fortunately, the sorcerer found that the ghost agreed to accept the offering of a kid instead of a pig. Jaibir Dak also accepted the Kayasth's backyard, rather than his courtyard, as its abode.

The Kayasth's propitiation of a ghost, which was obviously of a low caste since it demanded a pig in sacrifice, meant that at the very least caste boundaries were crossed. It is interesting that although upper castes had taken care to extricate their ancestral spirits from the world of lower-caste ghosts, they ended up propitiating lower-caste ghosts. In one case, upper castes invoked the Hindu world, in the other, they became concerned with the low-caste spirit symbols. How do we explain this? Pierre Bourdieu has argued that one has to "acknowledge that practice has a logic which is not that of logic, if one is to avoid asking of it more logic than it can give, thereby condemning oneself to either wring incoherences out of it or thrust upon it a forced coherence."[43] If we view ritual practices as dynamic events, where the selection of symbols and the choice of emphasis in meaning attached to them are generated by the situation, then the cultural inconsistency appears as the function of practice. If practices are not just executions of grand cultural plans, if they are discontinuous events oriented towards practical functions, then the culture they articulate will be variegated. Thus, while the cultural

[42] What follows is based on the oral testimony of Karu Manjhi, Sheorajpur, February 6, 1982.

[43] Bourdieu, *Outline of a Theory of Practice*, 109.

notions articulated by the two events were different, the practices in themselves were coherent, i.e., they both articulated principles and symbols appropriate to the situation. In one case, upper castes invoked Hindu symbols to reproduce the social order represented by the cycle of death and regeneration. In the other case, a Kayasth propitiated a low-caste ghost in order to remove the misfortune threatening his situation.

Because ritual practices were dynamic events, they did not simply reflect but actively constructed cultural notions and social relations. So, while in social life the danger involved in the interdependence of separate castes resulted in ritual pollution requiring Hindu rites of purification, in the spirit world this caused spirit affliction requiring propitiation of the ghost. But the danger to the social hierarchy caused by the affliction from and propitiation of a low-caste ghost was removed by making the ghost subordinate to upper-caste Hindu notions, by making it accept a young goat instead of a pig, the backyard instead of the courtyard. By doing so, ritual practices regenerated the caste hierarchy, although their practical aim was only to restore harmony in the Kayasth landlord's world. A similar process of unintended renewal of the social order while pursuing different practical aims can be identified in the annual agricultural rite with which the cultivating season commenced. The annual *asārhi pujā* was the most complex and elaborate ritual practice embodying the reconstruction of the social hierarchy. Beginning in the middle of June, after the monsoon had broken, it involved the entire village in a series of connected rituals:

After the first rains, when the ground had become wet and swollen, the malik consulted the Brahman, giving him the names of his kamias. The Brahman then selected Shukar Bhuinya whose astrological sign was favorable to do *harmantar* [plough worship]. He was fed and treated well the night before the ritual. Next morning, he was taken to the malik's field. He ploughed one katha [little less than 1/20 of an acre] and sowed one corner of the field called the *bhandār konā* [storage corner] with seeds left from the previous harvest. This done, the malik chose a particular Tuesday for asarhi puja. All kamias were summoned to the kachahari [landlord's estate office], and told of the date, and were given some money and grain to perform the ritual. First, the *mānjhi* [the Bhuinya ritual specialist] propitiated the *mālik devatā* [the village patron deity]. Then he and all other sorcerers went all around the village, inviting all daks and bhuts to the ritual. In the Bhuinya quarters where all the ghosts gathered, the sorcerer began to communicate with each spirit one by one. To the beat of the Chamar's drum, the *bhagat* [shaman] danced and all ancestral spirits possessed him one by one and communicated through him to everyone present what they wanted for propitiation. Then the whole procession of the

Bhuinyas along with the Chamar beating the drum and the manjhi and bhagats leading the way went all around the village boundary expelling alien daks who lurked around waiting to enter the village and cause commotion. Then they went to each house, beginning with the malik's. Each household offered a pinchful of rice or some money to daks which were placed in a winnowing basket. Then the procession gathered at Tulsi Bir's shrine. The daks were offered whatever they had demanded. Then with the Bhuinya men singing songs about Tulsi Bir whose presence was announced by the bhagat, a pig was sacrificed. Following this, the Hindu village goddess Bhagwati was given a young goat.[44]

This annual rite was an integral part of the agricultural operation because, as the sowing of seeds from the previous season gave life to a new crop, the transition of one production cycle into another was effected. But this transition was a potentially dangerous process. Rains brought the wet and the dry together, and ploughing intervened in the passage between a fecund soil and the regeneration of new life. It was precisely the sort of transitional stage when spirits struck. Ghosts hovered outside the village boundaries waiting to attack, and daks and bhuts thrived on such liminal moments. Ritual practice intervened in this critical phase of transition between death and regeneration in order to ensure a smooth passage from one stage to another, bringing the spirits and ancestors of the outcaste Bhuinyas together with ritual specialists and beliefs of upper-caste landlords. But what came together was also hierarchically ordered. Take, for example, the distribution of ritual tasks. The paddy field chosen for ensuring the proper transition from death to life in agriculture was that of the malik. But the person selected to perform the potentially dangerous act of ploughing and then impregnating the soil with the remains of the dead was a low-caste Bhuinya. The malik's field served as a symbol for the entire community. But the kamia shouldered the burden of dealing with the union of contraries. It was he who dealt with the swollen ground, tamed nature in its fecund and untamed stage, and brought death (seeds from the previous season) to life. The burden of communicating with daks and bhuts was borne by the low-caste manjhi, guni, and bhagat. The Bhuinya population not only provided ritual specialists for the occasion, they collectively also became central figures in the whole drama. It was in their section of the village that the ritual specialists performed. They formed the procession that went around the village. The malik distanced himself from those stages of rites when ritual specialists consorted with ghosts. By appearing only at the beginning and end of rites, by

[44] Oral testimony of Panchu Bhuinya, Sheorajpur, September 3, 1982.

providing resources for the performance of rites, by acting as the patron of the asarhi puja, he asserted his social dominance.

Just as the distribution of ritual tasks reconstituted social inequality, it also articulated cultural beliefs reaffirming unequal relations. This reaffirmation was effected through the removal of upper-caste ancestral spirits from the field of the outcaste ritual specialists' activities. These specialists propitiated daks, bhuts, ancestral spirits, and legendary ancestors, such as Tulsi Bir. And although the rituals did not explicitly define such ghosts as low or outcaste, this was the effect of the distribution of ritual tasks. Thus, when the rites concluded with the worship of the Hindu village goddess, Bhagwati, the Bhuinya ritual specialist gave way to a Brahman. Furthermore, as a goddess revered by upper castes, her blessings were sought only when the lesser spirits had been appeased. For the insertion of Bhagwati's worship in the middle would have meant that even after appeasing a goddess associated with upper castes, lesser spirits had to be propitiated. The sacrifice of a young goat for her therefore had to be the final act. Social hierarchy was thus inscribed in the temporal order of ritual tasks.

If spirit-cult practices regenerated the social dominance of upper castes, it is also true that the outcastes were conceded a position denied them in other spheres of social life by the ideology of caste. No doubt low-caste ghosts were subordinated to upper-caste cultural beliefs, placed lower than the upper-caste goddess Bhagwati, forced to accept a young goat instead of a pig, the backyard instead of the courtyard, and upper-caste spirits were separated from the potentially malevolent world of ghosts. But we should also note that this went hand in hand with the fact that upper castes also found it necessary to appease low-caste ghosts, that they had to concede the power these ghosts had over their lives, and that they had to respect powers that the Bhuinya ritual specialists possessed. In this sense, ritual practices associated with spirits did not simply reflect the social hierarchy but represented it in forms that regenerated as well as problematized the maliks' dominance as upper castes.

A similar, albeit more fantastic, form of regeneration and contest of power relations can be discerned in practices connected with a category of spirits known as *mālik devatās*. Propitiated regularly during the annual asarhi puja, the malik devatas were spirits purchased by the maliks for the protection of the village fields, crops, and their own landed property.[45] The following oral testimony gives an account of how such spirits were purchased:

[45] *GDG*, 76.

During the time of Hem Narayan Gir [the chief monk or Mahant of the Bodh Gaya monastery from 1867 to 1892], the monk of Sheorajpur estate went with Pancham Bhuinya, the manjhi of the village, to Tambe, a village to the south of Palamau in an area called Kothikunda, to buy a ghost. The people who sold ghosts there were Korba and Korain, and Turi and Turain [Korba and Turi men and women]. These people told Pancham Bhuinya that Bhainsasur and Kol Baba were capable of protecting the Mahant's property. The sorcerers of Tambe placed a four-directional lamp on a winnowing basket which was placed at the pinda of the two ghosts. Then a handful of rice was put in the basket. The sorcerers and sorceresses were given some money and then Pancham Bhuinya and the monk headed back. The winnowing basket followed them back to the village. Once it reached the village, the basket circled the village boundary and then descended on a tree. Pancham Bhuinya stayed awake the whole night looking for the light from the four-directional lamp. But once he spotted it on top of a tree, the basket and the lamp vanished. Pindas were set up for Bhainsasur and Kol Baba at the place the lamp had been spotted The whole village was informed that malik devatas had arrived.[46]

The above account is remarkably similar to a 1906 description which also refers to the purchase of ghosts for the protection of village fields.[47] An earlier document from 1852 also suggests that spirits were installed to protect landed property. Speaking of the belief articulated in these practices, this 1852 record noted that for the Rajwars (an outcaste group inhabiting the hilly and forested Nawada region of Gaya district), "the fear they have of incurring the displeasure of their Deities (even to stealing Grain from the field) is so great that this alone is a great check to the comission [*sic*] of such crime amongst them."[48] Since kamias did not own fields, and as peasant castes did not purchase ghosts or act on behalf of the village as a whole, it appears that the spirits that discouraged Rajwars from stealing grain from the field were malik devatas.

Malik devatas were particularly powerful ghosts. They were always bought from the south, from the forested region close to and in Chota Nagpur, and most of these spirits had names connected to original

[46] Oral testimony of Karu Manjhi, Sheorajpur, February 16, 1982.

[47] "A peculiar feature of the power of *ojhas* [sorcerers] over *bhuts* is found in the actual purchase and sale of them, which is said to be practiced by some low castes in the jungle-covered tracts to the south of the district. The *bhut*, when under proper control, is a valuable possession and becomes a marketable commodity. When the sale has been arranged, the *ojha* hands over a corked bamboo cylinder which is supposed to contain the *bhut*; this is then taken to the place, usually under a tree, at which it is intended that the *bhut* should in future reside..." *GDG*, 76.

[48] BSA: GCR, vol. 4a (Issue side), Letter from the Deputy Magistrate of Nawada, dated May 10, 1852.

settlers of southern Gaya and the Chota Nagpur region. For example, Kol Baba, Bhainsasur, and Bhuini Rani were the most common names that figured in the list of malik devatas of the past. While Kol was the generic term used for all non-Hindu groups in this region, Bhainsasur was derived from Asur – a "tribe" regarded as the earliest settlers of Chota Nagpur – and Bhuini Rani was associated with the Bhuinyas. In other words, malik devatas were spirits of those who were believed to have domesticated nature. It is not surprising, therefore, that these ghosts purchased from the south were regarded as the most powerful and appropriate spirits for effecting a smooth passage from one agricultural cycle to another during the annual asarhi puja. In view of their role in assisting agricultural production – expressed, for example, in the belief that wild animals would destroy the crop if not warded off by these spirits – it is not surprising that the maliks purchased them; and having expressed their patronage through this purchase, the maliks also paid for the expenses involved in the malik devata's propitiation, sometimes setting aside a small plot of land for this purpose.[49]

Because the reciprocal exchange with malik devatas assisted the rites of passage in agriculture, the purchase and patronage of such spirits gave the landlords a control over transactions between the social and spiritual worlds. Although upper-caste landlords possessed a rich cosmology within which death and regeneration was accomplished by mortuary and ancestor propitiation rites, they still found it necessary to propitiate ghosts from the south because of the role of such spirits in agricultural production. But this concession to the outcaste ritual specialty and beliefs enabled the landlords to harness the spirits to their own cause. The guardian of nature became the castellan of land and landlords because, while ghosts were custodians of nature, land was held by landlords. It was thus that the protector of land became the protector of landed property, a fact expressed in the very name for this patron deity – malik devata. This transformation of a spirit into a malik devata through its purchase and patronage by the landlord meant that the spirit was identified with the malik's interests, with the unequal appropriation of nature as landed property. So, just as its deployment in agricultural rites represented the maliks' dominance, the malik devata also kept watch over the landlords' fields and crops. It punished theft from the malik's fields and crops;[50] but this was not all, as the following account of theft and punishment illustrates.

49 GCRR: "Village Notes," Barachatti thana no: 266, village Charaili.
50 *GDG*, 76.

There was a Bhuinya whose daughter was married to a man from Sakhwara. One day she fell ill. She could not even see properly: she mistook her father-in-law for her husband, and her husband for her father-in-law. When the sorcerer was called, he disclosed that Kol Baba, the malik devata from her parental home, was the cause of her sickness. On being asked to remember anything she had done to offend Kol Baba, she revealed that while taking out rice from the clay pot to cook food in her parents' home, she had found some coins which she kept and brought over to her husband's village. The woman's father-in-law had to propitiate Kol Baba in order to cure her of spirit affliction.[51]

The revelation that the Bhuinya woman had kept quiet about the money she had found in the earthern pot came only after the sorcerer had diagnosed that Kol Baba afflicted her. But the implication of the connection made between her actions and spirit affliction was that the malik devata could be offended even when the theft was from a kamia's house, thus treating the kamia's belongings as if they were part of the malik's property. Such an extravagant claim shows that ritual practices did more than reflect the malik's dominance: they extended its reach extraordinarily.

In spite of their close association, however, the identification of the malik devata with the landlord was effected only through ritual practice. This meant that the ghost was a flexible symbol that could be deployed in contesting the malik's patriarchal claims. An instance of such deployment is provided by an incident that occurred some time before 1915–16. It was then that, according to an oral testimony, Bithal Bhuinya moved from Kharhari to Bakraur because of the death of his son, who died when a well he was digging for the landlord suddenly collapsed and fell on him. Although this incident occurred at a time when the landlord had taken away a small plot of land that Bithal Bhuinya, as a kamia, had been given, this is not the reason he gave for leaving Kharhari for Bakraur. Instead, he left because of the misfortune caused by the malevolence of the malik devata who had set a dayan on his son.[52] What is also significant to note here is that Bithal neither attributed the landlord's action to the malik devata,

[51] According to Karu Manjhi, he learnt of this incident from Sodhar Bhuinya who, in turn, had been told about it by his grandfather, Pancham Bhuinya. Apparently, this incident happened during Pancham Bhuinya's lifetime. Because Pancham Bhuinya died before Karu was born, and Karu was a young boy during the 1914–15 survey and settlement operations in the village, it appears that this incident happened some time towards the end of the nineteenth century.

[52] Keso Bhuinya's oral testimony, Bakraur, February 13, 1982. Since Bithal Bhuinya died before Pyare Lall whose death, according to his family records, occurred in 1926, this incident can be placed in the early part of this century. The story of this incident was related to Keso by his grandfather.

nor did he hold the landlord responsible for his son's death. Connecting the two events analogically rather than causally, the background of social disharmony became the basis for holding the malik devata, rather than any other spirit, responsible for his son's death. It was thus that his son's work in digging a well for the landlord became a "factual" basis for the malik devata's role in causing Bithal's misfortune. As this example shows, the diagnosis of spirit affliction could easily become an inquiry into social relations when the disharmony in the spirit world was animated with meanings pertinent to kamia–malik relations.

What enabled the kamias, like Bithal Bhuinya, to attribute malevolence to the malik devata was the fact that it was an ambivalent and multivocal symbol. Therefore, ritual practices could deploy it to represent benevolence as easily as malevolence. In view of this ambivalence and capriciousness, the malik devata could be used to represent the maliks' domination of the kamias in fantastic terms. For example, when anyone was caught stealing from the landlord's field or his threshing yard, he was severely beaten and punished by the malik's employee. But those who got away undetected had to contend with the malik devatas. Unlike punishment by landlords, the wrath of these fearsome spirits could bring untimely death. Disorderly and unpredictable death threatened the cyclical reproduction of death and regeneration. But so did theft. Since nature, in the form of paddy fields, bore the imprint of unequal social relations, a violation of the transactional norms in the social sphere also disrupted the natural order of things. Malik devatas struck with terrible fury to ensure the reproduction of this order. Their power paralleled that of the landlord. But the two were not identical: in malik devatas, the power of landlords was reconstructed in menacing terms, as the following account relates:

In Silaunja, the malik had purchased Banaut and Banautin from the south. They killed my grandfather's brother, his four sons, and his grandsons. The problem was that since the malik trusted my grandfather's brother completely, he regularly pilfered the landlord's crops at night and became somewhat prosperous. So he and his family became victims of Banaut and Banautin.[53]

Sometimes, to pre-empt spirit affliction, kamias propitiated malik devatas before going to the landlord's field to steal grain. But prior

[53] Oral testimony of Bangali Manjhi, Bakraur, February 16, 1982. According to him, this happened after the survey operations in 1914–15, but I was unable to determine a more precise date.

propitiation meant that it was no longer a theft: it became a gift. This gift was different from the benefaction that the landlord showed at certain times of the year because while the malik's generosity was founded on the collective apprehension of unequal reciprocity as liberality, the gift from the malik devata was activated by disengaging the ghost from its relation with the malik. Whereas in one case, benefaction was based on social relations, in the other, social relations were denied. Prior propitiation of the ghost established the reciprocal exchange between kamias and nature unencumbered by property.

Such attempts to bypass the malik's property claims were considered more likely to succeed when, as the following account suggests, the relations between the malik devata and the landlord were tenuous.

Sodhar Manjhi told me that his grandfather, Pancham Bhuinya, used to say that kamias propitiated malik devata when it was angry with the landlord. Then someone could even steal the grain from the field and he would go undetected and unpunished.[54]

Because ghosts were by nature fickle, kamias looked for, as the above account suggests, signs which expressed the ghosts' temporary alienation from landlords. At such times, they were more likely to take risks and steal grain, hoping that the ghost would not punish them. The proof that the malik devata was temporarily disenchanted with the landlord, and that the ghost had rewarded its propitiation by kamias, came in the results of theft: if kamias got away without any harm, it proved that the ghost was alienated from the landlord. But there were also times when ghosts were strongly identified with landlords. At such times, ghosts represented the power of their landlords in fantastic forms; then ghosts were potentially malevolent, capable of causing much harm. When distribution of resources was involved, the ghost identified strongly with the malik; it guarded his property and represented his power as all-encompassing; and it stressed kamia–malik relations over all other ties. But in the sphere of production, its role was different. It intervened along with other ghosts to facilitate agricultural production. In agrarian rites, the ghost's ties were stretched to cover the entire community. While the social distribution and temporal succession of ritual tasks in asarhi puja inscribed the practice with unequal social relations, all ghosts, including the malik devata, intervened for the community as a whole.

[54] Karu Manjhi's oral testimony, Sheorajpur, March 3, 1982.

At these times, the malik devata did not bear a malevolent character. It was precisely because of its ambivalence that the malik devata was effective as a symbol of the landlord's authority. Because of its power to effect a smooth reproduction of the agrarian cycle, it was a useful ghost for the landlord.

Although neither oral nor written records exist about the practice of ghost purchase in the pre-colonial period, there is no reason to deny the possibility of its existence in those times. There was one feature to the practice of buying ghosts which was particular to the colonial period. This was related to the reconstitution of rural power on the basis of land control. Unlike pre-colonial Bihar, when maliks exercised direct control over people, the landlords' control over people in the colonial period was based directly on their land control. This had an unmistakable effect on the practice of buying ghosts, as Bakraur's case shows. A village with multiple superior landed interests, Bakraur was the zamindari property of Tekari raj. However, it had subleased more than half the village to other tenureholders, and since the nineteenth century much of the land in the village was controlled under various intermediary and peasant tenures by the family of Pyare Lall, the Bodh Gaya monastery and the Bakraur monastery.[55] These intermediaries cultivated their lands directly with kamias and also subleased some of it to low-caste peasants. Of these, Pyare Lall was the most important intermediary, but the influence of his ghost was limited to the lands he controlled.[56] The Bodh Gaya math, on the other hand, as one of the biggest landholding estates in the district, had purchased ghosts in villages that it held entirely, and had a shrine for Bhuini Rani near the monastery which looked after its property in Bakraur. The Tekari raj was said to have had a malik devata in Tekari who looked after its property in Bakraur.

What is clear from the above accounts is the close connection between landholding and malik devatas. As the biggest landholder and as the *dewān* (chief executive) of the Bodh Gaya monastery, Pyare Lall enjoyed great authority in the village. But the influence of his malik devata was confined to lands that he held. Land control was the basis for the landlords' and the malik devatas' control over people. In a village like Bakraur where land control was fragmented, it was perhaps difficult for landlords to represent their power through malik devatas. One indication of this is the very faint memory of these

55 GCRR: "Village Notes" and "Khatian," Gaya Mufassil thana No. 358, village Bakraur.

56 Deoki Bhuinya's oral testimony, Bakraur, February 17, 1982.

ghosts and the absence of detailed accounts of spirit affliction in Bakraur. But in a village like Sheorajpur, which was completely under the Bodh Gaya monastery, memories and accounts of malik devatas are vivid. Partaking the image of the landlord (the Hindu monk), Bhainsasur was claimed to have been seen in the past, wearing wooden sandals and carrying a whip made out of a cow's tail.[57]

In such fantastic images, the malik's power was reconstructed. Like Tio, the devil worshipped by the miners in Bolivia,[58] the malik devata represented subordination of the Bhuinyas by landlords. But whereas Tio expressed the alienation of miners from capitalist production, as Michael Taussig so eloquently argues, the malik devata of colonial Gaya echoed the power of the landlords over kamias, based on land control. It is tempting to conclude that malik devatas simply reflected unequal relations between landlords and kamias. But this would be contrary to the logic of ritual practice. In fact, ritual practices were dynamic events in which social relations were actively reconstructed. Through propitiation of ancestors and spirits, people sought to deal with "good" and "bad" deaths. In doing so, they made spirit-cults an arena for the reproduction of social order. Upper-caste landlords sought to reconstruct caste hierarchy but they were also forced to concede ritual specialization and cultural autonomy to the Bhuinyas. They represented their dominance by purchasing ghosts, but kamias responded by attributing malevolence to the ghost in situations where it was closely identified with the landlord. It was through the articulation of such contrary beliefs and strategies that domination was both experienced and contested in spirit-cult practices.

Conclusion

When compared to the deprivation of juridical rights under debt-bondage, the economy of gentleness and violence, the renewal of caste hierarchy in oral traditions, and the regeneration of the maliks' dominance in spirit-cult practices may at first sight appear tame forms of domination. Therefore, even the struggles mounted in these spheres may also seem insignificant. Set against the drama of violent resistance – the subject matter of Ranajit Guha and his *Subaltern Studies* colleagues' series of insightful analyses of social protest in

[57] Panchu Bhuinya's oral testimony, Sheorajpur, March 3, 1982.
[58] See Michael T. Taussig's *The Devil and Commodity Fetishism in South America* (Chapel Hill, 1980), part III.

South Asia[59] – the kamias' contest of their subalternity may not even be noticeable. What must be remembered, however, is that because domination was secured in everyday practices, these dull moments of regularity were of utmost significance to power relations. After all, it was in the practical activities connected with agricultural production that the kamias' time was strategically deployed and controlled, that economic and physical violence was unleashed on them, and when the maliks' "uncalculated generosity" was expressed. Similarly, the kamias' status as outcaste Bhuinyas was renewed by the performance of their oral traditions for ritual purposes. And finally, the kamias' inferior ritual status and their subjection to the maliks' domination was reconstituted in practices concerned with issues seemingly far removed from the arena of power relations – spirit-cults. Inserted into such regular activities, the reproduction of power relations became as routine as these routines themselves, and domination came to be most enduringly exercised and experienced. But just as domination invaded the domain of the regular, resistance also found its most lingering presence in this everyday site of domination.[60] As kamias encountered the maliks' domination on and off the fields, they evaded its reach by ordinary acts of subterfuge and extraordinary acts of flight to other villages and cities; confronted by an already constituted status as naturally engendered outcaste kamias, they reconstituted themselves by historicizing their ritual status and by claiming that they had been warriors; and faced with fearsome ghosts representing the maliks' dominance, they attributed malevolence to spirits when they acted in the interest of landed property. Of course, none of these practices fundamentally altered the conditions of power. But they did make the kamia subjectivity a contested domain – a domain where a contestatory consciousness simmered just as surely as domination prevailed.

[59] A selection of articles from *Subaltern Studies* appears in *Selected Subaltern Studies*, ed. Ranajit Guha (New York, 1988). See also Ranajit Guha's *Elementary Aspects of Peasant Insurgency in Colonial India* (Delhi, 1983).

[60] On "everyday" forms of resistance, see James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven, 1985), and Jean Comaroff's *Body of Power, Spirit of Resistance: The Culture and History of a South African People* (Chicago, 1985).

Conclusion: freedom bound

...slavery cannot be abolished without the steam-engine...
Karl Marx and Frederick Engels, *The German Ideology*, 1846.

Steam, the great civilizer, has not done much for this man [kamia], although the railroad runs within a few hundred yards of his door.
Officiating Collector, Monghyr District, 1874.

...the salvation of the *kamia* is primarily a question of psychology...The first need is to concentrate on the task of...a specially-selected official and a trained philanthropist who will put heart into these people and give them the moral strength to seize the opportunity which already exists.
Secretary, Revenue Department, Government of Bihar, 1940.

Today, it should not come as a surprise that the history of bonded labor in India sheds critical light on the era of western dominance. But if this is all that the kamias' history was to do, then it would not be very significant. For we already live in an age that has witnessed and celebrated the destruction of colonialism by anti-imperialist nationalism, and imperial ideologies no longer command respect. So, the view that colonialism did not live up to its promise, that the nineteenth-century introduction of railways and modern industry, far from inaugurating an era of progress and prosperity instead intensified colonial exploitation, would not provoke much dissent. In fact, transcending the issue of exploitation – so central to the reactive ideologies of imperialism and nationalism – recent scholarship has gone on to explore more subtle and enduring aspects of the colonial experience.[1] One such lasting dimension that this scholarship has put

[1] The literature is vast and ever-growing. But for some recent examples of such works on India, see Arjun Appadurai, *Worship and Conflict under Colonial Rule: A South Indian Case* (Cambridge, 1981); Partha Chatterjee, *Nationalist Thought and the Colonial World: A Derivative Discourse?* (London, 1986); Ashis Nandy, *The*

to critical scrutiny is the depiction of colonialism as an encounter between the West and the East – a formulation canonized and immortalized by that bard of imperialism, Rudyard Kipling. Edward Said's *Orientalism* characterizes this unfading portrayal as an instance of "Orientalizing the Orient," i.e., as a representation owed to the mutually enabling power-knowledge relationship supporting western domination. Studies of nineteenth-century projects of reform in India, too, have shown that the discovery of "traditions" and their confrontation with modernity were traceable to the colonial exercise of power.[2] This exercise of power installed the colonial discourse in a privileged position as the voice of civilization, progress, and humanity, and subordinated the discovered "traditions" as the Other. In this process, slavery, more than any other condition, came to embody otherness, and free labor emerged as the human destiny. It is in illuminating this effect, rather than in highlighting colonial exploitation, that the critical light shed by the kamias' history is most sparkling.

Because the colonial discourse made unfreedom seem contrary to nature, and rendered the right to freedom as innate as life itself, slavery remains an issue where the colonial record does not appear all that gloomy. So deeply entrenched now is the notion that slavery represents a malignancy festered by power, and that freedom is tantamount to liberation from power, that a critical scrutiny of the colonial critique of unfreedom runs the risk of being interpreted as slavery's defense. But it is precisely this tactic of pitting slavery against freedom that conceals the domination of free labor, maintains the myth of free individuality, and supports a juridical notion of power. This juridical notion roots all forms of domination in the absence of natural rights, making the struggle to fill these absences the basis for bringing domination itself to an end. If anything, the

Intimate Enemy: Loss and Recovery of the Self under Colonialism (Delhi, 1983); Sanjay Nigam's fascinating "The Social History of a Colonial Stereotype: The Criminal Tribes and Castes of Uttar Pradesh, 1871–1930," Unpublished Ph.D. dissertation (London: School of Oriental and African Studies, 1987); and Richard Saumerez Smith's excellent essay, "Rule-by-Records and Rule-by-Reports: Complementary Aspects of the British Imperial Rule of Law," *CIS* (n.s.) 19, 1 (1985).

2 Bernard S. Cohn, "Notes on the History of the Study of Indian Society and Culture," in *Structure and Change in Indian Society*, eds. M. Singer and B.S. Cohn (Chicago, 1968), and his "The Command of Language and the Language of Command," in *Subaltern Studies*, IV, ed. Ranajit Guha (Delhi, 1986); Veena Das, "Gender Studies, Cross-Cultural Comparison and the Colonial Organization of Knowledge," *Berkshire Review*, 21 (1986); and Nicholas B. Dirks, "Cast(e)s of Mind" (mss.).

deep-rooted existence of these notions affirms the longevity of western hegemonic discourses.

The history of the kamias in south Bihar can only open a tiny wound on the body of beliefs enshrined in the discourse of freedom. It does so by highlighting a dimension specific to the incestuous relationship between freedom and unfreedom in India during colonial rule. This incestuous relationship is also observable in other regions of the world that experienced modern slavery. But in those other regions, the dialectic of freedom and slavery was intertwined with economic and political issues. In the New World, for example, even if we regard the thesis, proposed by Eric Williams and Walter Rodney, that Caribbean slavery and African slaves were crucial for capital formation in the West as somewhat extreme, there can be little doubt that slave labor was driven by the European occupation of the continent.[3] That this European settlement in North America, apparently fueled by a desire for freedom, occurred on the backs of slaves imported from Africa is an irony that David Brion Davis's writings document in rich detail.[4]

Ironies also abound in the history of labor bondage in colonial India. Most ironic of all was the fact that the kamias' bondage, far from being a relic of pre-modern times, was constructed by the colonial discourse of freedom. This reconstitution of a dizzying variety of dependent persons – from palanquin bearers to farm servants – as unfree persons parallels the transformation that African slaves experienced in the New World when plantations replaced kinship as the ordering principle of their social relations.[5] Like the African slaves, when "slaves" in India were refashioned as unfree persons, an important change occurred. But unlike transatlantic slavery, this reconstitution in India was neither driven by the search for merchant capitalist profits, nor did it rest upon plantations. In fact, although the freedom–unfreedom conception was part of a

[3] Eric Williams, *Capitalism and Slavery* (Chapel Hill, 1944) and Walter Rodney, *How Europe Underdeveloped Africa* (Washington, D.C. 1982). For a statement of different scholarly positions on this question, see David Brion Davis, "Reflections on Abolitionism and Ideological Hegemony," *American Historical Review* (hereafter *AHR*), 92, 4 (October 1987), and his review essay, "The Benefit of Slavery," *The New York Review of Books*, 35, 5 (March 31, 1988).

[4] *The Problem of Slavery*. See also Vincent Harding's *There is a River: The Black Struggle for Freedom in America* (New York, 1981).

[5] I refer here to Suzanne Miers and Igor Kopytoff's argument that under African slavery the slave's position "lay on a continuum of marginality whose progressive reduction led in the direction of quasi kinship and, finally, kinship." See their "African 'Slavery' as an Institution of Marginality," in *Slavery in Africa: Historical and Anthropological Perspectives*, ed. Miers and Kopytoff (Madison, 1977), 24.

discourse of the bourgeois political economy,[6] the late eighteenth-century discovery and description of unfree laborers by the East India Company was not driven and determined by immediate economic considerations. Instead, the reconstitution of dependent persons as slaves owed to the fact that these relations were recognized as freedom's Other – unfreedom. Ordering a multiplicity of cultural forms and a variety of dominations by the Self–Other binary opposition, what appeared common in all these groups to Company officials – and hence justified their definition as slaves in the official discourse – was their lack of freedom. This discovery of unfree persons, in turn, prompted the Company officialdom and the Orientalist scholarship to investigate what caused the loss of freedom in India, leading to the invention of indigenous religious codes supporting the enslavement of free persons. Pledged as the Company was to respect indigenous traditions, its officials not only formulated these laws but also administered them. The documentation that these practices produced, in turn, reinforced the premise upon which these activities were founded – the premise that slavery, sanctioned by Hindu and Islamic laws, existed before British rule. The fact that the subordinated persons often happened to be outcastes reaffirmed the classical vision of India as a land steeped in caste and religion. This vision, formulated in Orientalist scholarship and colonial administration, acquired unprecedented prominence in the 1820s and 1830s as British officials and Indian reformers threw challenges to one invented "tradition" after another. As in the case of other "traditional" practices of widow-burning and the neglect of female education, the question of slavery also witnessed the voice of reason raised against what appeared as remnants of medieval darkness. And because in these epic battles colonialism was securely on the side of freedom, and western discourses of reason and natural rights appeared to be ranged against backward and unchanging Indian "traditions," the ideology of progress, enunciated in this context, acquired an enduring presence, outliving even colonial rule.

An important landmark in the establishment of this ideology of progress was the 1843 abolition of slavery in India which occurred as a part of the global struggle waged by British abolitionists. This struggle in the New World, in contrast to India, was protracted and violent – reflecting how deeply entrenched slavery was on the

6 This discourse, privileging free labor as an agent of progress and as an expression of individuality, was articulated in Adam Smith's *The Wealth of Nations* (London and New York, 1910; rpt. 1954), I, 72, 344–46, and found ready acceptance in colonial officialdom.

American continent, how intertwined slave labor was to the capitalist world market. The ongoing debate since the publication of Eric Williams's *Capitalism and Slavery* also indicates the complexity of the question of slavery and abolition in the New World.[7] In India, on the other hand, what was defined, documented, and administered as slavery neither approached the American scale nor became connected to capitalist production. Furthermore, while the West saw itself pitted against its own legacy in the New World, this was not the case in India. Here, the encounter between the colonial advocates of freedom and the unfree persons was mediated by the invention of "traditions." Because the British laid the responsibility for slavery on the indigenous cultures, all they were required to do was to withdraw their support and enforcement of the cultural beliefs encoded in Hindu and Muslim religious laws. When the government withdrew this support by the abolition of slavery in 1843, its accomplishment was largely superficial because the unfreedom that it ended had very little basis in the existing ties of dependence between "masters" and "slaves."

However superficial, the 1843 abolition was important for its role in the state's self-representation as a guarantor of its subjects' rights. But this guarantee ironically became an instrument for the kamias' transformation into bonded laborers. As the state gave its stamp of approval to contracts providing for the kamias' life-long labor for the maliks – adjudicating kamia–malik disputes as debtor–creditor contractual disagreements – landlords and laborers ordered their relations as contracts founded on advances of loans. They executed written deeds representing their relations as creditor–debtor ties and they approached the courts as parties bound by contracts. Contributing to this liberation of the kamias from slavery and their reconstitution as bonded laborers was the objectification of agrarian relations. While this objectification, gathering increasing force by the late nineteenth century, founded social relations in contractual exchange of things – advances of money, grain, and land for labor – it was the juridical process that helped define these exchanges as creditor–debtor transactions. In effect, therefore, the two processes acted in harmony, making the kamias manifest as innately free persons bonded by debts. In making the kamias bonded laborers, in attributing the suspension of laborers' rights to their indebtedness,

[7] The major issues involved in the debate, and the literature associated with it, are discussed in David Brion Davis, "Reflections on Abolitionism and Ideological Hegemony," and Thomas Haskell, "Capitalism and the Origins of the Humanitarian Sensibility, part 1," *AHR*, 90 (April 1985); and part 2, *AHR*, 90 (June 1985).

however, the juridical and socio-economic practices also installed the bourgeois political economy as a hegemonic discourse. From the point of view of this hegemonic discourse, the Bhuinya oral traditions that narrativize the kamias' pre-modern and modern histories in terms of warrior–subject ties can be pronounced as mythic; and the mythic power of money to bind people, on the other hand, can be termed as self-evident, real, and true for all times and places. It is the construction of precisely this reality, animated by the magical presence of money, that colonial records document, and of which they are the documentary remains. The lasting presence of this reality is observable in the existing historiography which, like colonial records, treats the power of money to bind people as self-evident. It readily accepts and employs a continuum of conditions beginning with slavery and ending with freedom in ordering different forms of domination, and it finds few radical discontinuities in the histories of slavery and debt-bondage extending from ancient to modern periods.

Enshrined in historical records and writings, the dismantling of this reality – one that capitalism represents as the natural order of things – has proven most difficult in the context of slavery and bondage. The difficulty lies in the fact that the very same practices which expressed the discourse of freedom and reconstituted the kamias into bonded laborers also provided a weapon of criticism against their domination. After all, the practices that pronounced the kamias as unfree laborers also voiced disapproval of their bonded condition. Because bondage meant a *loss* of rights that the kamias were entitled to as human beings, the process that denied them those rights also treated that denial as extraordinary – a digression from the natural order of being. So, although the doctrine of natural rights invoked in the freedom–unfreedom formulation was socially constructed, it nevertheless provided the grounds for waging a struggle against certain forms of domination, most notably against corporeal forms of oppression. Armed with this doctrine, nineteenth-century abolitionists all over the world, including India, dealt critical blows on systems of overt corporeal domination. The influence of their efforts looms large long after the pitched battles were fought during the nineteenth century. Canonized and monumentalized in history and historiography, the past century's achievements are manifest in the revulsion and horror invoked today by the very mention of the word slavery. So strong are our feelings against it that the term slavery has now acquired an enormous plasticity – it stretches to include a variety of forms of domination. All this is impressive. It is particularly so when we remember that the modern critical attitude

against slavery emerged as a major force during the early nineteenth century – a time when, as recent research shows, slavery was not an economic deadweight on capitalism.[8] The abolitionist movements, therefore, faced a capitalism that profited from slavery although it could also profit without it. In the end, because struggles, movements, and wars forced it to profit without overt labor coercion, moving it to realize its potential as a system of free wage-labor relations kept in place by covert means of domination, the rise of industrial capitalism became part of the same transformation that terminated slavery.

If capitalism's association now with free labor and humanitarianism gives it a critical stance with respect to unfreedom, the comfort in joining that critique is unsettling. Not only is the moral privilege of this critical stance safe, but also the alliance with the discourse of freedom permits us to view domination as only a matter of lost juridical rights. Once domination is attributed to the loss of rights, the *restoration* of *lost* rights manifests itself not only as an instrument of escape from bondage but also from domination altogether. It was thus that colonial laws abolishing slavery and debt-bondage were always accompanied by stubborn hopes that turning the bonded men free would herald an unprecedented era of progress and prosperity. So, even when legal remedies clearly failed to obtain the set objectives, the strong association of freedom with progress spurred the colonial officialdom in going on to try other methods. In the late 1930s, after the 1934–36 inquiries into the bonded labor system showed that legal remedies had failed, a variety of methods were discussed and proposed. Providing small plots of land to the kamias, training them in cottage industries, utilizing the Salvation Army as a labor bureau to help them secure work in timber-cutting and in the construction of forest roads – all these were now offered as instruments to transform the kamias into free laborers.[9] While the nineteenth-century belief in the power of education and economic change was by no means absent, hopes in the 1930s centered on giving the kamia some land and some skills in order to awaken him

[8] This argument, directed against Eric Williams's thesis that the rise of British industrial capitalism required the end of slavery, is made in *British Capitalism and Caribbean Slavery: The Legacy of Eric Williams*, eds. Barbara Solow and Stanley L. Engerman (New York: Cambridge University Press, 1987). For more on the literature and arguments on the relation between abolitionism and capitalism, see Davis, "Reflections on Abolitionism and Ideological Hegemony," and "The Benefit of Slavery." See Thomas Haskells "Capitalism and the Origins of the Humanitarian Sensibility" for the hypothesis that the capitalist market brought cognitive and perceptual changes leading to the emergence of humanitarian critiques of slavery.

[9] BSA: GOB, RD (Land Revenue), July 1941, Proceedings No. 1–5.

from his unfreedom-induced stupor. Because slavery violated, and debt-bondage suspended, what appeared to be the most natural of all rights – freedom – this attempt to make the kamia into a free individual, an author of his own destiny, was seen as a task worthy of enlightened governments and philanthropists.

In post-colonial India also, governments and reformers have essentially followed the tracks made by their colonial predecessors. Although recent economic and political changes have dissolved the long-term kamia–malik ties into short-term wage labor contracts in most parts of the region, the abolition of debt-bondage remains one of the issues around which the government struts and swaggers as an agent of modern progress in a land of feudal backwardness. It continues to be a question whose importance is owed, above all, to the fact that it allows modernity and tradition to appear in perpetual combat, with traditions now defined as a combination of sources of backwardnesses – social, economic, and cultural. The lack of the kamias' participation in these past and present official and elite-directed projects of legitimizing free labor does not mean that they have passively acquiesced in their bondage. In the past, they combated their dominated existence by resisting the economy of gentleness and violence on and off the fields, by preserving, transmitting, and performing their contestatory oral traditions, and by bending spirit-cult practices to cast the maliks' domination in an unfavorable light. Of course, none of these radically changed the relations of power. But that is no reason to conclude that these challenges were insignificant. The constant presence of contested subjectivities, however tame they may appear to us, not only meant that the maliks' domination was tenuous but also implied that power was only exercised and secured through the kamias' practices. These struggles made power concede a place for resistance in even the maintenance of domination. In the post-colonial period, the kamias' struggles include violent seizure and occupation of land, and strident Sanskritization of their identities. But interestingly, like resistance in the colonial period, these post-colonial struggles neither stem from nor are confined by the official projects of reform. The continuity that the kamias have maintained in their refusal to participate in the official project, and in mounting struggles against domination experienced at the point of power's exercise, far from indicating passivity, ought to be seen as their recognition of power concealed by the juridical guise of rights. It represents their critique of the discourse of freedom, their pronouncement that there is "bondage" in freedom.

APPENDIX

Specimens of kamiauti bonds

I

I, Sohan Bhuinyan, resident of mauza Diha, pargana Pahra, in the district of Bihar, do hereby acknowledge to have taken an advance of Rs. 24–14–0 for agreeing to work as a kamia and menial servant from Jainu Singh, by caste Rajput, of Diha. In this document which I execute, I willingly and voluntarily bind myself to plough on nakdi and bhaoli lands of Jainu Singh, and to grow cotton, sugarcane, etc., for him, and to work wherever the lands of Jainu Singh may be situated. I and my descendants for ever bind ourselves to be ready to perform any work given to us, and to perform all the duties of a menial servant without objection. If at any time I abscond I shall be liable to be brought back by the said Jainu Singh by force and shall offer no objection, and if I refuse to return or offer resistance I shall be liable to pay the nakdi and bhaoli produce of one plough and Rs. 100 in cash and then I and my descendants can be released from our obligations. I shall be paid the same diet allowance or wages as is customary in this village and around. If I cause any other work of the aforesaid Jainu Singh to suffer he shall have authority to administer justice as he thinks proper. For the above this document is executed by way of Sewaknama so that it may be of use where occasion requires.
Dated 15 Asarh 1262 [1855]

II

I, Somar Rajwar, son of Geyan Rajwar, of Andherbari, pargana Jarra, district Gaya, am by profession a labourer and a kamia. As I have to pay off the debt of Babu Bhikhari Singh of aforesaid village, to make some clothes and also to incur expenditure on food, and which cannot be done without recourse to borrowing, and because nobody gives a loan without my executing a Kamiauti document, I requested Babu Dhanpat Singh, son of Babu Gajadhar Singh, deceased, of village Andherbari, by profession agriculturist and service-holder, to advance a loan of Rs. 13–4–0 on Kamiauti terms and to get a document executed by me on stamped paper. To this the aforesaid Babu agreed. I, therefore, of my own free will, have taken a loanof Rs. 13–4–0 (half of which comes to Rs. 6–10–0) from the aforesaid Babu Dhanpat Singh of the above-named village and have put the money to my personal use. I, therefore, bind myself and execute this document

agreeing to assist the agriculturist with my wife in all the work of a kamia and in the agricultural operations, e.g., sowing, etc., I shall receive antia, dinora, and wages as per custom of the village and shall raise no objection. I shall also have to repay the money at a lump in Jeth of the year 1916, when I shall take back the stamped document. And so long I do not repay the money, I shall always discharge my duties, and if I happen to go away elsewhere I shall pay to the said Babu Dhanpat Singh interest at one anna per rupee per month until the aforesaid loan is paid off. On my failing in this the said Babu Dhanpat Singh shall be entitled to realize the money from any of my properties that he may find, and to this neither I nor my descendants or successors-in-interest shall have any objection. I have therefore executed this document concerning interest to be made use of later on if required. Be it noted that if I have to go elsewhere for a day or two I shall put my son in charge of the said agriculturist as my substitute and the said agriculturist will have authority to take work from my son.

		Rs.	a.	p.
Total	... ...	13	4	0
Half of which	... ...	6	10	0

Dated 2 August 1914.
Source: GSR, Appendix XXIII.

GLOSSARY

aghani	the crop, usually transplanted rice, harvested during mid-November to mid-December
āhar	an irrigation tank
āmil	a land revenue collector or tax farmer
asārhi	an agricultural rite that commences the cultivating season in asarh (June-July)
bakāsht	landlords' private estate lands
barāhil	an official appointed by the landlord to ensure that none of the crop is carried away before rent is paid
batai	a system of rent payment whereby a share of the crop was paid to the landlord
bhadoi	the crop reaped in the Hindu calendar month *bhado*, corresponding with the month from mid-August to mid-September
bhagat	a shaman and sorcerer
bhaoli	rent calculated in kind; sometimes used in the same sense as *batai*
bhut	ghost or spirit
bigha	equals one-third of an acre
bir	a hero or warrior
charhui	a form of Bhuinya marriage in which the wedding takes place at the bride's house. and is more prestigious than *karhui*
dak	a wizard, sorcerer, used in Gaya to refer to the spirit of dead sorcerers
dānābandi	a form of rent payment in which the division of the crop between the landlords and tenants is based on the appraisement of the standing crop rather than the actual produce
dāsa	usually translated as a slave
dinaurā	harvest wages
deorhā	the interest rate of 50 percent at which grain loans were advanced
ghatwāl	a tenureholder in the southern parts of south Bihar and Chota Nagpur charged with guarding the mountain passes
gorait	village watchman
gharbāri	homestead lands
gosāin	a Hindu religious mendicant; a term that people in Gaya

	used for the monks belonging to the Hindu monastery of Bodh Gaya
gumāshtā	the landlord's agent responsible for the collection of rents
guni	a wizard, sorcerer
hathiyā	a lunar asterism that corresponds with the second fortnight of September
hijra	the Muslim calendar which starts from the time of the Prophet's departure from Mecca to Medina in A.D. 622
jāgīr	a Mughal tenure that gave the state's share of the land revenue to its holder
jāgirdār	the holder of a jagir
kamiā	bonded laborer
kamiauti	a term used to refer to the advance of money and grain by the landlord to the laborer, and to the labor relations of the *kamiās* to their *māliks.*
kaminiā	a kamia woman; wife of a kamia
karhui	a form of Bhuinya marriage in which the wedding takes place at the groom's house; a less prestigious marriage than *charhui*
karmakāra or *kammakāra*	the term used in classical texts for a laborer
khālisa	lands from which the revenue went directly to the Mughal government
k͟hānqāh	a place of Muslim religious worship and congregation
khesāri	a cheap pulse sown in the paddy fields
lakh	one hundred thousand
mālik	possessor, proprietor, occupier, owner, master, lord, ruler, a cultivator with hereditary right to the land he cultivates, or a person having a beneficial and hereditary interest in the revenue paid by the cultivator, and responsible for its collection
mālikānā	an allowance paid to the zamindar by the person who occupies his land; pertaining to the malik as his right or due
mālik devatā	a ghost purchased by the malik from the southern jungles and installed in the village as the protector of the landlord's property
mānjhi	a Bhuinya ritual specialist
maund	82.286 lb
milkiyat	property, proprietary right, mastership
mufti	a Muslim theologian employed by the East India Company courts as an interpreter of Islamic laws
naqdi	cash rent
ojha	a wizard, sorcerer
pāin	an irrigation channel
parganā	a Mughal fiscal unit

patwārī	the village accountant
pinda	a lump, a heap, a ball of rice or meat, especially offered at obsequial ceremonies to the deceased; and balls of mud used to represent spirits
puttarā	the Hindu almanac
rabi	spring crop
raiyat	peasant
sarkār	Mughal administrative division; also loosely used to refer to governments, rulers, masters, and lord
seer	equals 2.6 lb
thānā	a police station; also denotes and administrative subdivision of the district, with each thana being roughly twenty square miles
thikādār	an intermediary tenureholder who contracts to hold the estate at a fixed rental either for a certain term of years or until the sum of money advanced on usufructuary mortgage is repaid
zamindar	under the Mughals, the collector of revenue; under the British, landowner

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3 Bihar State Archives, Patna

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Gaya Collectorate Records

4 Gaya Collectorate Record Room, Gaya

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Khaitan, organized by thana numbers and recorded during the Settlement Operations of 1911–18

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Budhia Bhuini
Chandra Shekhar Lall
Deoki Bhuinya
Jogeshwar Manjhi
Keso Bhuinya
Rameshwar Manjhi
Shiban Manjhi
Siyaram Mahto
Suresh Bhuinya

2 Bhalua Chatti Village

Phaguni Bhuinya

3 Sheorajpur Village

Karu Manjhi
Panchu Bhuinya

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INDEX

Adam, William, 1, 75n, 154n
agricultural cultivation, *see* cultivation
agricultural expansion, *see under* Bihar
agricultural prices, rising, 107, 111, 112, 113, 116 and n, 120, 125, 127–8, 132–6, 137, 138
agricultural production, 128, 136–7, 141–2
  role of spirits in, 211, 214–15
  see also cultivation
agricultural rites, 207–9, 211, 214
agricultural seasonality, 27 and n, 28
  and debt-bondage, 29–33, 32n, 79, 187
  and fluctuations in labor demand, 15–16, 31–2, 169–73
Aristotle, 5

Bagchi, A.K., 132
Baker, Christopher John, 9n, 138
Banaji, D.R., 75n
Banaji, Jairus, 9n
Barnett, Richard, 84n
Basham, A.L., 194n
Bayly, C.A., 84n
Bayu, Malik Ibrahim, 63, 64
Beames, John, 89
Bengal, 2, 69, 97, 104, 107, 116, 132, 133n
Beveridge, H., 65n
Bhaduri, Amit, 133
Bhairavendra, 64
Bhattacharya, Neeladri, 10n
Bhattacharya, Sabyasachi, 10n
Bhuinyas, 34–58, 37n, 72, 76–81, 109n, 161, 162, 162–3n, 170, 192–200, 203n;
  and caste, 35, 36, 49, 77–80, 192–5, 196, 197, 198–200
  and spirit-cult practices, 201–2, 203, 203n, 205, 205n, 207–9, 210, 212–14, 216, 217
  see also birs; *kamiās*
Bihar, 13–33
  agricultural expansion and intensification in, 58–71, 96–7, 107–11, 108n, 110n, 120, 141, 163, 166, 169
  colonial rule and, 2, 11, 13–14, 16–17, 82–3, 98–139
  eighteenth century, 83–99, 105
  Mughal rule in, 89, 90
  pre-colonial history of south, 58–81, 215
  south contrasted with north, 14–17, 17n, 18–20, 31–2, 71, 72, 75
  see also Chota Nagpur; Gaya district; Patna district; Shahabad district
Bihar and Orissa Kamiauti Agreement Act (1920), 160, 184
birs (heroes), 40, 41–2, 43–4, 43n, 76–81, 161, 193–200, 201–2
  and gods, 45–54
  and caste, 54–8, 79–80, 193–5, 196, 197, 198–200
Bimbisara, 59
Bloch, Maurice, 203–3
Blochmann, H., 66n
Blyn, George, 132
Bodh Gaya monastery, 31n, 70, 70n, 104 and n, 109 and n, 117–18, 118n, 120–1, 137, 210, 215–16
bonded labor, *see* debt-bondage
Bose, Sugata, 9n
Bourdieu, Pierre, 54, 181, 206
Breman, Jan, 9–10
Bridge, T.W., 168n
British rule, *see* colonialism *and under* Bihar; debt-bondage
Browne, James, 36n
Buchanan, Francis, 36, 63, 73, 88n, 89, 93, 102, 103, 104, 107, 109, 110, 111, 113, 118, 150–3, 162
Buddha, Gautama, 59, 59n

Calkins, Philip C., 84n
canals, 15, 108, 110, 115, 127–8, 141
capitalism, 8–9
  and slavery, 6, 222, 223, 224 and n
caste, 31, 54, 163, 201

and Bhuinyas, 35, 36, 49, 77–80, 192–5, 196, 197, 198–200
and *birs*, 54–8, 79–80, 193–5, 196, 197, 198–200
and land ownership, 73–4, 73n, 77–9, 124–5
and spirit-cult practices, 205–9
Chakravarti, Uma, 9n
channels, 20 and n, 21–8, 27n, 61, 65–6, 128
maintenance of, 24–5, 132–3, 187
Chanana, D.R., 4, 4n
Chatterjee, Partha, 218n
Chatterjee, Rama, 65n
Chatterjee, S.K., 43n
Chauduri, B.B., 9n, 100n–101n, 102n, 103n, 106, 106n, 107n, 108n, 113n
Chota Nagpur, 17, 18, 29, 36, 37n, 41, 59, 59n, 63n, 65, 66n, 76, 154, 186–7, 189, 205 and n, 211
demand for *kamiā* labor in, 170, 174–5
expansion of debt-bondage in, 166–9
Choudhury, A.K., 60n, 61n
clichés, 42–3, 42–3n, 44–58, 79, 161, 193–200
breached embankment, 45, 46–53 *passim*, 71, 76, 80, 193, 194, 198
in the construction of Bhuinya identity, 44, 45–58, 193–200
ritual pollution, 45–53, 78, 79–80, 193–5, 198–200
seized marriage, 54–7, 193, 195–7
warrior, 54–7, 193, 195–200
Coccari, Diane Marjorie, 43n
Cohn, Bernard S., 10n, 84n, 219n
Colebrooke, Henry T., 146–7n, 147, 148, 161, 188
colonialism, 218–19, 221; *see also under* Bihar; debt-bondage
Comaroff, Jean, 217n
Commander, Simon, 79n
commodity fetishism, *see under* debt-bondage
Cook, Andrew S., 70n
Coupland, H., 125n
Crooke, William, 43n
cultivation:
gram and pulses, 128–36, 138, 171, 172–3
maize, 171, 172–3
opium, 127–8, 137
paddy, 24, 31–2, 58, 62, 64, 70, 71, 96, 110, 128–36, 169–70, 171, 172, 173, 174
sugarcane, 127–8, 137
wheat, 171, 172–3
Cunningham, Alexander, 37n

Dalton, E.T., 36n, 37n, 63n
Dalton, George, 33n
Das, Veena, 203n, 219n
dāsas, 4 and n, 147
Datta, K.K., 89n
Davis, David Brion, 5, 6–7, 7n, 220n, 222n, 224n
debt-bondage, xi-xii, 29–33, 83, 140–83, 224–5
and agricultural seasonality, 29–33, 32n, 187
in ancient Greece, 3–5
backward agriculture supported by, 169–75
and colonial rule, xi-xii, 1–3, 8–12, 9–10n, 29–31, 32–3, 140–61, 176–7, 177n, 182, 184–6, 220–1, 222–3, 224–5
and commodity fetishism, 3, 11, 33, 141, 175
kamiauti advances in the construction of, 175–83, 184, 222–3
origination of, 11–12, 140–61, 220–1, 222–3; extension of, 162–70, 182
slavery as worse than, 1, 6, 143–4, 145
as suspension of natural right to freedom, 2, 3, 140, 180–1, 182, 183, 184–5, 220–1, 223, 224, 225
see also *kamiā–mālik* relations; *kamiās and under* slavery
depression (1930s), 137, 138, 139, 168
Derrida, Jacques, 39n, 40n
Dharmasvāmin, 61
Dingwaney, Manjari, 9n
Dirks, Nicholas B., 10n, 219n
Dockès, Pierre, 32

epics, oral, 41, 42, 43–4, 43n, 45–58, 76–81, 192–200
contextualization of, 58–71

Fabian, Johannes, 8
famines, 99, 106, 108, 125, 126, 127
Fazl, Abul, 65, 65–6n, 73n
fetishism, *see under* debt-bondage
Finley, Moses, 3–4, 3n, 5n
Firminger, W.K., 69n
forests, 65–6, 67, 68, 70, 70n, 71
Foucault, Michel, 6, 11, 191
free-unfree opposition, 2–11 *passim*,

ion, 143, 144, 145, 147, 154, 220–1, 223
freedom, as a natural right, xi-xii, 2, 3, 5, 6, 145, 147, 184–5, 219, 225; *see also under* history
functionalism, 43n, 49

gāom system, 25, 74
Gaya district, 13, 14, 16n, 31 and n, 61, 65–71, 71n, 72, 107, 108–18, 123, 124, 125–6, 130, 133, 151, 152, 153, 157–8, 163–6, 163n, 164n, 200–1, 204, 205 and n, 211, 216
  agricultural expansion in, 107–110, 113 163, 166
  rising agricultural prices in, 111–13, 116, 125–6
  caste and land ownership in, 73–4, 73n
  and debt-bondage, expansion of, 162, 163–6, 168–9
  forests, 65–6, 67, 68, 70, 70n, 71
  irrigation systems (traditional) in, 20 and n, 21–8, 25–7n, 65, 66, 70, 110
  and *kamiā* labor, demand for, 171–4
  land rent in, 111–15, 125, 136, 158
  zamindari rights, expansion of and conflict over, 87–98; sales of, 103, 104, 107, 108
  see also Bodh Gaya monastery
Genovese, Eugene, 6
gods and *birs*, 45–54, 80
gram, 128–36, 138, 171, 172–3
Grant, James, 69–70, 76, 96n, 97n
Grierson, George A., 16n, 17n, 20n, 21n, 23 and n, 24, 27, 27n, 43n, 70n, 117, 174n, 176–7, 179, 189, 201n
Guha, Ranajit, 100n, 216, 217n, 219n

Habib, Irfan, 66, 69n, 70n, 72n, 74n, 85n, 86, 89n, 92n, 96n,
Haldar, R.D., 66n
Hand, Reginald, 100n, 111n
Harrington, J.H., 140, 146, 147
Harris, Barbara, 32n
Harris, John, 32n
Hasan, Nurul S., 85n, 94n
Haskell, Thomas, 222n, 224n
Hastings, Warren, 143
Henige, David, 63n
historiography, 82, 83–4, 223
history, 2, 12, 35, 223
  mythic and realist, *see* oral traditions and written narratives
  oral traditions as, *see under* oral traditions
  as progressive realization of freedom, xi-xii, 2, 8–9, 221–2, 223, 224
Hjejle, Benedicte, 9n
Hume, David, 145
Hunter, W.W., 15n, 36n
Hurd II, John, 116n
Hussain, Iqbal, 62n

interpretation, textual, 10–11, 39 and n
irrigation systems:
  deterioration of, 132–3, 133n, 136, 138, 139, 142
  maintenance of, 24–5, 132–3, 133n, 136, 141, 187
  and regional diversity, 25–8
  traditional (in Gaya), 20, 20n, 21–8, 25–7n, 65, 66, 70, 110; *gherābandi*, 21
  see also canals; channels; tanks
Islam, M.M., 133
I-Tsing, 59n

Jāgirdārs, 69–70, 73, 76, 85, 93, 105

kamiā-mālik relations, 1, 8, 53–4, 62, 77–9, 80–1, 83, 141, 150, 151–61 *passim*, 168, 175–83, 184–92, 193, 196–7, 200, 212, 213, 214, 225
  reconstruction of: by oral traditions, 192–200, 217, 225; in spirit-cult practices, 200, 212–16, 217, 225
kamiās, 1, 2, 4 and n, 8, 10, 11–12, 13, 17, and n, 25, 34, 35, 37, 38, 45, 52, 53, 58, 71–9, 83, 109 and n, 140–3, 154–5, 185, 207, 208, 218, 219, 220, 224–5
  become bonded laborers, 11–12, 140–61, 182, 220–1, 222–3
  labor system, expansion of, 162–70, 182; and backward agriculture, 169–75
  and regional diversity, 29–33
  resistance to landlord domination, 185, 188–200, 212–14, 216, 217, 225
  see also Bhuinyas; *kamiā-mālik* relations
Kamiauti transactions, 1, 150–3, 156, 158–9, 161, 162, 166, 167, 168, 169, 187, 190, 196, 226–7
  British view of, 176–7, 177n, 222–3
  and debt-bondage, 175–83, 184, 222–3
Karimi, S.N., 71n
Kerr, J.H., 15n, 17n, 124n
Khan, Ahmad Raza, 69n, 96n
Khan, Muzaffar, 66n

Khan, Syed Gholam Hossein, 98n
Kielhorn, F., 61n
Kipling, Rudyard, 219
Kittoe, Captain N., 64n, 65
Kolhia, Jiwan, 63–4
Kopytoff, Igor, 7 and n, 10, 220n
Kosambi, D.D., 59
Kumar Dharma, 9n–10n, 116n

land control, 97–8, 117–18, 120, 121, 122, 132, 157–8, 163, 166, 215–16
  tenurial means of, 121–8 *passim*, 137–8, 139, 215
land disputes, 157–8
land grants, 59–60, 61 and n, 72, 74, 91–2, 91n, 98, 118, 166, 167, 198
land measurement, 66–70, 69n, 70n, 87 and n, 90, 96 and n
land ownership:
  and caste, 73–4, 73n, 77–9, 124–5
  exclusive, *see under* land rights; *zamindari* rights
  peasant, 86, 106, 120, 122–4, 125, 128, 167
  zamindari, 99–121, 133
  see also land rights; property; *zamindari* rights
land rent, *see* rent
land revenue, 13, 14, 16, 59, 61, 62, 63, 66, 69–70, 69n, 73, 74–5, 76, 82, 84, 85–98 *passim*, 96–7n, 106–7, 107n, 118–19, 119n, 122
land revenue systems:
  British, 99–105, 166, 167
  Mughal, 69–70, 73, 85–7, 85n, 87n, 90–1, 93, 96, 97, 101
land rights, 82–3, 85–7, 90–7
  exclusive ownership, 92, 93, 94, 99, 100–20, 141
  hierarchy of, 92–4, 96, 99, 101, 137
mālikānā, 90–3, 95–6, 97, 105
  See also land ownership; *zamindari* rights
land sales, 101–2, 103–5, 104n, 106–7, 107n, 108, 118–20, 122–4, 128
land tenure, 16, 36, 83, 90, 93, 94–6, 109–10, 166, 167, 182
  intermediary, 102–3, 104 and n, 110 and n, 118, 120, 122, 167, 215; elimination of, 117; *see also* *mustajirs*; *thikādārs*
  and land control, 121–8 *passim*, 137–8 139, 215
  and landed property, 98–105
  peasant, 120, 215
landed property, exclusive, *see* land rights; *zamindari* rights *and under* land tenure
landlords, 1, 16 and n, 17, 25, 51–4, 57, 65, 70–1, 71–9, 72n, 73n, 82, 120–1, 113n, 169–70, 215–16
  acquisition of peasant holdings, 122–4
  and caste, 73–4, 73n, 77–9, 124–5
  see also kamiā–, *mālik* relations; *zamindars*
legends, 37n, 41, 63, 76
Lewis, W.H., 29n, 174n
life-cycle rituals, 40, 200, 203–4, 205, 211
Ludden, David, 84n

Macnaghten, W.H., 148n
maize cultivation, 171, 172–3
Majumdar, N.G., 59n, 60n
mālik devatā, 207, 209–16
mālikānā, 90–3, 95–6, 97, 105
Mandal, R.B., 71n
Marglin, Stephen A., 32n
marriage, 40–1, 54–7
  Seizure, 37, 54–7, 193, 195–7
Martin, Montgomery, 150, 151
Marx, Karl, 3, 33, 82, 175, 218
Mazumdar, B.P., 60n
McAlpin, Michelle, 116n
McPherson, H., 115n
Miers, Suzanne, 7, 7n, 10, 220n
Miller, Joseph C., 40, 42, 42–3n
Misra, Babua, 43n
Montesquieu, 5
mortuary rites, 201n, 203, 205, 211
Mukhia, Harbans, 72n
Mundle, Sudipto, 9n, 186n
Murphy, P.W., 15n, 111n
mustajirs, 103
Muzaffar Khan, 66n
myths, 41, 48, 194

Nandy, Ashis, 218n-219n
narratives, *see under* oral traditions
nationalism, 218
Nigam, Sanjay 219n

O'Hanlon, Rosalind, 39n
O'Malley, L.S.S., 16n, 36n, 46, 76, 110, 200
Ong, Walter J. 39n
opium cultivation, 127–8, 137
oral testimonies, 117n, 121n, 127n, 158n, 161, 162–3n, 170, 171 and n, 173n, 179–80, 181 and n, 187–8n, 189–92, 201n, 202n, 203n, 204n, 205n, 206n, 209–10, 212 and n, 213, 214, 215n, 216n,

oral traditions, xii, 11, 34–5, 38–58, 76–81, 82, 83, 109n, 161, 185, 192–200, 223
in the construction of Bhuinya identity and *kamiā-mālik* relations, 41, 44, 45–50, 192–200, 217, 225
as history, 34–5, 38–40, 41, 42, 42–3n, 44–5, 48–9, 52–3, 57–8, 71, 79–81, 92–3, 223
production of, 40–1, 42–5, 49, 50, 53–4, 192–3, 195–6, 197–8, 199–200, 217
telescoping of events and persons, 63 and n, 79, 80
and written narratives: compared with, 34–5, 38–40, 39n, 40n, 58, 79–81; contextualized by, 58–71
see also clichés; epics; legends; myths; proverbs
Oriental despotism, 24
Orientalism, 8, 148, 219, 221
Orissa, 36, 37, 41, 132

paddy cultivation, *see* cultivation: paddy
Pandey, H., 59n
Pandey, M.S., 59n
Parry, Jonathan, 202–3
Patna district, 14, 25–7n, 103, 106, 107, 115–16, 123, 128–9, 133, 135, 151, 152
Patnaik, Utsa, 9n
Patterson, Orlando, 5n, 7, 7n
peasant holdings, 86, 106, 120, 125, 167
sales of, 122–4, 128
peasant resistance, 74n, 75, 106, 114, 125, 136, 137
Perlin, Frank, 94
Permanent Settlement (1793), 16, 90n, 100–5, 100n, 101n, 106, 108, 120, 121, 136, 137
Plato, 5
Polanyi, Karl, 33
Pouchepadass, Jacques, 103, 106
Pratapadhavala, 61n
Prinsep, Augustus, 75n
property, 1, 12, 82, 83; *see also* land ownership; land rights; *zamindari* rights
proverbs, 42n, 201n
pulses, 128–36, 138, 171, 172–3

Qadir, Syed Muhammed, 63–4, 63n

Rai, G.K., 74
Ray, Ratnalekha, 101n
Raychaudhuri, S.P., 61n
Raychaudhuri, Tapan, 85n
Reade, 110n
Rennel, James, 70n
rent, 16–17, 102–3, 115, 117–18, 119, 120, 122, 125, 136, 137, 166–7, 167–8
batai, 113, 114
cash, 16 and n, 111–13, 125, 128, 136, 138, 158
dānābandi, 113–15, 125
produce, 16 and n, 111–13, 120, 125, 128, 133n, 136 and n, 138
revenue, *see* land revenue; land revenue systems
Reynold, James, 70n
Richardson, J., 140, 144–6, 147, 150
rights, *see* land rights; *zamindari* rights
Risley, H.H., 37n
rites:
agricultural, 207–9, 211, 214
mortuary, 201n, 203, 205, 211
see also rituals; spirit-cult practices
ritual pollution, 45–53, 78, 79–80, 193–5, 198–200, 207
rituals, 40–1, 206–9
in the construction of Bhuinya identity and social relations, 41, 49, 53–4, 192–3, 195–6, 197–8, 199–200, 207–9, 213, 216, 217
life-cycle, 42, 200, 203–4, 205, 211
see also rites; spirit-cult practices
Robb, Peter, 103n
Rodney, Walter, 220
Roerich, D., 61n
Rousseau, Jean Jacques, 5
Roy, S.C., 36n, 37n, 41n, 46, 50, 205n

Said, Edward, 10, 219
Salimullah, 88n
Saller, Richard P., 3n
Sarkar, Jadunath Sir, 65n, 69n, 96n
Sarkar, Tanika, 9n
Scheub, Harold, 40n
Schlaifer, Robert, 5n
Scott, James C., 217n
Seamon, Roger G., 35n
Sengupta, Nirmal, 24n, 132
serfdom, 7, 8, 9, 153–4
Shahabad district, 14, 94–5, 98, 108n, 123, 128, 131, 133, 151, 152, 153
Sharma, R.S., 61n, 72n
Shastri, Hirananda, 59, 60n
Sherwill, Lieutenant S., 70n
Shirazi, Ali Sher, 63n
Shirras, L.P., 116n
Shore, Sir John, 90, 92, 97n

Siddiqi, Majid Hayat, 66n, 166n
Sifton, J.D., 29n
Singer, M., 219
Singh Bahadur, Rai Ram Anugraha Narayan, 70n
Singh, K. Suresh, 66n
Singh, R.L., 72n
Singh, R.P., 18n
Sinha, N.K., 100n
Sinha, Surajit, 66n
Sircar, D.C., 60n, 61n, 73n
Skrine, F.B.H., 159n, 174n, 186n, 187n
slavery, 3–9, 75, 141, 142–50, 158–9, 182– 218–25
  abolition of, 1, 142–3, 145, 146, 148, 150, 156, 221–2, 223–4, 224n, 225
  African, 7 and n, 220 and n
  in ancient Greece, 3–5, 5n
  capitalism and, 6, 222, 223, 224 and n
  Hindu and Muslim forms of, 145–50, 146–7n, 221, 222
  in India: British views of, 140–50, 146–7n, 151–61, 221; regulation of the practice of, 145–6, 147–50
see also debt-bondage
Smith, Adam, 22n
Smith, Richard Saumerez, 219n
social relations, 32–3, 54, 74, 220
  objectified, 9 and n, 11, 12, 32–3, 83, 94–6, 99, 120, 139, 140, 141, 151, 152–3, 156, 157–61, 163, 168, 175–6 182–3, 200, 222–3; Sprit-cult practices as a critique of, 200, 212–16, 217, 225
  varna model of, 77–9, 194
  see also kamiā–mālik relations
spirit affliction, 202–3n, 206, 207, 212–14, 216
spirit-cult practices, 185–7, 200–17
  and caste, 205–9
  as a critique of objectified social relations, 200, 212–16, 217, 225
  practical aims of, 200, 207–8, 211
spirits, 200–17, 201n, 202–3n
  role in agricultural production, 211, 214–15
  bhut and dak, 201n, 202 and n, 205, 208, 209, 210n
  dak-but, 201 and n
  female, 202, 203–4
  mālik devatā, 207, 209–16
  (varying) power of, 201–2, 203, 204, 210–11, 210n
  purchase of, 209–11, 210n, 215, 216
Solow, Barbara, 224n
Stephen, Captain H.V., 70n
Stevenson-Moore, C.J., 13, 17n, 105n, 109n, 169, 174, 175
Stokes, Eric, 9n
structuralism, 48
sugarcane cultivation, 127–8, 137

Tambiah, S.J., 41
tanks, 15, 20, 20n, 21, 24–8, 27n, 65–6, 70, 128
  maintenance of, 24–5, 132, 141, 171, 187
Tanner, E.L., 14n, 115n,
Taussig, Michael, 216
textual interpretation, 10–11, 39 and n
Thapar, Romila, 10n, 37n, 66n, 71n, 166n
thikādārs, 102–3, 104–5, 104n, 117, 122, 166–7; *see also* land tenure, intermediary
Thomas, Edward, 96n
Tsang, Hiuen, 59n

Vansina, Jan, 38, 38n, 44
varna, 77–9, 194
Visaria, Leela, 138n
Visaria, Pravin, 138n
Vogt, Joseph, 5n

Washbrook, D.A., 9n, 10n
wheat cultivation, 171, 172–3
White, Hayden, 34, 35n
Wiedemann, Thomas, 5n
Williams, Eric, 220, 222, 224n
Williams, R.A.E., 136n
Wilson, C.R., 97n
Wittfogel, Karl A., 24n

Yang, Anand, 119n

zamindari rights, 85–7, 88, 90–8, 99, 137
  arising not from land ownership, 92, 93
  and exclusive property rights: transformed into, 99–105; consolidation of, 106–20
  extension of, 87–98, 87n, 132–3
  sales of, 101–2, 103–5, 104n, 106–7, 121, 125, 128
  see also land rights
zamindars, 16, 85–139, 101n 164–5, 166–7
  direct control over estates, 117–18, 120, 121, 122, 132
  poverty of, 188–20
  primary and intermediary, 85–7, 89–93, 94–5, 97–8, 137
  see also landlords

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